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Wednesday,
17th August, 1955

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

PARLIAMENT SECRETARIAT
NEW DELHI

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LOK SABHA

Wednesday, 17th August, 1955

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Running Train Dacoities

*790. **Chaudhuri Muhammed Shaffee:** Will the Minister of **Railways** be pleased to state:

(a) the number of dacoities committed on running trains during the period from the 1st January to the 31st July, 1955; and

(b) the railway zone in which the largest number of dacoities was committed during the above period?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Six.

(b) The North Eastern Railway.

Shri Dabhi: May I know the figures zonal-wise? Also, may I know if any persons were killed or injured during these dacoities?

Shri Shahnawaz Khan: There were two dacoities on the Eastern Railway. Sir, it is a lengthy statement and if necessary I will read it out.

Mr. Speaker: Is it not necessary?

Shri Bhagwat Jha Azad: What is the percentage of such cases in which the culprits have been detected and punished?

Mr. Speaker: I wish to clarify a position which is a constitutional one. In respect of such cases the hon. Members of the House will be pleased to see that this is not a railway responsibility—prevention of dacoities and all that. Dacoities are due to dacoits or conditions in the particular region through which the railway is passing being not what it should be and that is primarily a law and order question of the State through which the railway is passing. Therefore, details should not be gone into and questions should only be put to see as to how the situation is in different parts of the country and what arrangements the railway have made for giving protection to the passengers in case the dacoits come. It is not their business to organise law and order position on all the tracts through which the railway passes. That I think is the constitutional position and I should like to know whether that is the position.

The Deputy Minister of Railways and Transport (Shri Alagesan): Exactly.

Mr. Speaker: Therefore, it is no use going into such details.

Shri Bhagwat Jha Azad: What about the railway police that have been employed at a huge cost by the Government?

Mr. Speaker: The hon. Member will realise that ordinary thefts in running trains or thefts from the yards will stand on a different footing from dacoities. It is not that dacoits usually travel in running trains and it is not the responsibility of the railway police to see that among the passengers no dacoits get in. So, we will go to the next question.

Shri Punnoose: What was the figure for 1954 and how does it compare with the figure for this year? Those figures, I think can be given.

Mr. Speaker: If he has got the figures I have no objection; but I do not propose to allow any more questions on this.

Shri Shahnawaz Khan: The number of dacoities from 1st January, 1954 to 31st July, 1954 was 8 and for the corresponding period in 1955 the figure is 6.

Chaudhuri Muhammed Shaffee: One question more, Sir.

इन डकैतियों को रोकने के लिये रेलवे डिपार्टमेंट ने क्या इंतजाम किया है ?

Mr. Speaker: I would not allow that question.

Oilseeds Crushing Industry

*791. **Shri Dabhi:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Oilseeds Crushing Industry Inquiry Committee has submitted its report to Government; and

(b) if so, the main recommendations thereof?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No.

(b) Does not arise.

Shri Dabhi: May I know when the report is likely to be submittted?

Shri P. S. Deshmukh: It will not take long; by the month of October or November it will be submitted.

Shri Dabhi: May I know whether Government propose to levy a cess on oil mills as recommended by the Planning Commission?

Dr. P. S. Deshmukh: That is one of the things which will be examined in detail by this Committee.

Indian Post Offices in Tibet

*792. **Shri Ibrahim:** Will the Minister of **Communications** be pleased to state:

(a) whether the Indian Post Offices in Tibet were transferred to the Postal Administration of the People's Republic of China; and

(b) if so, how far the restrictions now imposed by the Chinese authorities in the postal services between India and Tibet have effected the business community of this country?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) With the transfer of the Indian Post Offices in Tibet to the People's Republic of China on the 11th April, 55 the money order and value payable service were discontinued and the parcel post service which was previously available to certain specified individuals living in Tibet was also given up. Post Office Savings Bank facilities have also been withdrawn. The extent to which the discontinuance of these facilities has been disadvantageous to the business community of this country cannot be gauged, but there have been no representations on this account.

Shri Ibrahim: May I know whether the restrictions imposed by the Chinese Government are unilateral and if so, why?

Shri Raj Bahadur: It was by way of mutual arrangement as agreed to between two countries and these Post Offices had to be transferred for these reasons.

श्री भक्त दर्शन : क्या मैं जान सकता हूं कि जिस समय यह डाक, तार की व्यवस्थायें चीन की सरकार के सुपुर्द की गयीं थीं उस समय इस तरह का कोई मुआहिदा हुआ था कि कोई नये प्रतिबन्ध नहीं लगाये जायेंगे और क्या इस बारे में अभी भी लिखा पढ़ी की जा रही है कि कोई प्रतिबन्ध न लगाया जाये ?

श्री राजबहादुर : हमारे पास तीन डाकखाने थे। Gyantse, Pharijong and Yatung. इन के जरिये से पार्सल सर्विस तो कुछ हद तक सीमित थी और इंश्योरेंस सर्विस बिल्कुल नहीं थी, शेष डाक सर्विस थी। यह तीनों डाकखाने भारतीय डाक तार विभाग के अन्तर्गत काम करते थे। अब इन डाकखानों के हस्तांतरित होने के उपरांत यह डाकखाने चाईनीज गवर्नमेंट के अधीन काम करते हैं और इसलिये इन मुहआहिदों का अब कोई सवाल पैदा नहीं होता।

Gur and Khandsari

*796. **Shri Jhulan Sinha:** Will the Minister of **Food and Agriculture** be pleased to state the effect of free licensing of *Gur* export on the price of *Gur* and *Khandsari* in the country during the year 1954?

The Minister of Agriculture (Dr. P. S. Deshmukh): Free licensing of Gur for export was allowed, not in 1954, but in February, 1955. This has had practically so effect on internal prices of Gur or Khandsari, because owing to lack of foreign demand, exports have been very meagre.

Shri Jhulan Sinha: May I know if free licensing helped to relieve the glut in the *gur* market to any extent?

The Minister of Food and Agriculture (Shri A. P. Jain): I could not follow the question, Sir.

Mr. Speaker: Has it reduced the glut in the market to any extent?

Shri A. P. Jain: What does "it" refer to, Sir?

Mr. Speaker: Export.

Shri Jhulan Sinha: I said "free licensing".

Shri A. P. Jain: The export has been comparatively little—about 15,000 tons. It has certainly affected the internal market but not to any considerable extent.

Sugar Cane Acreage

*797. **Shri Bishwa Nath Roy:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that the quantity of sugar-cane crushed in sugar-factories in the last season in Uttar Pradesh and Bihar was the largest ever; and

(b) if so, whether the increase is due to the fact that the acreage under sugar-cane cultivation has increased last year in comparison with the preceding year?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes, in the case of factories in Uttar Pradesh.

(b) The increase has been due to;

(*i*) increase in the acreage under cane,

(*ii*) higher yields due to more favourable seasonal conditions and intensive development measures, and

(*iii*) diversion of cane from *Gur* manufacture to sugar factories owing to low prices of *gur*.

Shri Bishwa Nath Roy: In view of the answer given just now may I know whether the Government propose to import more raw sugar this year?

The Minister of Food and Agriculture (Shri A. P. Jain): We never imported raw sugar on Government account. Of late, we have not been receiving any request for the import of raw sugar and I do not think there is much chance of importing any raw sugar.

Shri Bishwa Nath Roy: May I know the percentage of increase in sugarcane per acre in comparison with that of last year?

Dr. P. S. Deshmukh: The percentage counted comes to 24·6 per cent. on an average.

Shri Bishwa Nath Roy: May I know whether in view of the increased production of sugarcane, the country is self-sufficient in sugar?

Dr. P. S. Deshmukh: I believe so.

Indigenous Medicines

*799. **Shri Bhagwat Jha Azad:** Will the Minister of **Health** be pleased to state:

(a) whether Government propose to give protection to indigenous medicines of Unani and Ayurvedic System; and

(b) whether Government have drawn up any scheme in this regard?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) There is no such proposal.

(b) No.

Shri Bhagwat Jha Azad: May I know whether there has been any change in the Government's policy relating to inclusion of Ayurvedic and Unani medicines among the modern medicines?

Shrimati Chandrasekhar: Unani and Ayurvedic medicines are different from modern medicines. How can we combine both?

Shri Bhagwat Jha Azad: May I know whether this is the opinion of the Ministry on the experts in the country on medicines?

Mr. Speaker: Order, Order. The hon. Member will see his own contradiction. He wants to include Ayurvedic and Unani medicines in the modern medicines. That is a question entirely different from the question as to whether the Government are going to encourage indigenous medicines.

Shri Bhagwat Jha Azad: The interpretation of the Ministry is that these systems of medicine are out-dated and they are not given the privilege of being used by government servants under the health scheme. I want to know whether that is the interpretation of Ministry.

Shrimati Chandrasekhar: If we know these medicines are out-dated we will not give the encouragement that we are giving to these indigenous medicines.

Shri Bhagwat Jha Azad: May I know whether the Government will give the privilege to such of the government servants as are under the health scheme to have the option of having Ayurvedic system of treatment as well?

Shrimati Chandrasekhar: This is a separate question and separate notice should be given for it. The particular question that has been tabled for today is about the protection given to indigenous medicines.

Shri Tek Chand : Does Government propose taking any steps to ensure the availability of pure indigenous drugs and medicines?

Shrimati Chandrasekhar : We are taking steps.

Shri V. P. Nayar : May I ask whether Government have any comprehensive schemes for advancing further studies in ayurveda and other indigenous systems of medicine using the appratus and instruments which are available to allopathy such as X-Ray and the electro-cardiograph?

Shrimati Chandrasekhar : We are doing all that is necessary about this particular aspect in the Jamnagar Institute that has been established by the Central Government.

Wagons

*80c. **Shri S. C. Samanta :** Will the Minister of **Railways** be pleased to state :

(a) whether it is a fact that since April, 1954 orders have been placed on three Calcutta firms for the supply of goods wagons ;

(b) if so, the names of the firms and the number of wagons for which orders have been placed with each firm ;

(c) the number of metre-gauge and broad gauge wagons among them respectively ; and

(d) when they are expected to be supplied?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Orders for the supply of goods wagons have been placed on 6 and not on 3 Calcutta firms.

(b) to (d). A statement is laid on the Table of the Sabha. [*See* Appendix V annexure No. 42.]

Shri S. C. Samanta : May I know whether all the workshops that were manufacturing the wagons before the integration of the Indian State Railways are at present manufacturing the same?

Shri Shahnawaz Khan : I cannot say very definitely but the number of workshops that were manufacturing wagons before the integration has since increased very considerably.

Shri S. C. Samanta : I wanted to know whether those workshops that were manufacturing wagons before integration have been re-modelled and wagons are being manufactured there itself instead of placing orders on different firms at different places?

Shri Shahnawaz Khan : This is a question of a very general nature. If the hon. Member would specifically quote any workshop, I shall give him the exact information.

The Deputy Minister of Railways and Transport (Shri Alagesan) : Evidently, the hon. Member wants to know whether we have cut down orders on certain firms which were making wagons before. Instead of cutting down orders, we have increased the orders. The capcity which was only about 7,000 wagons has now been increased to 15,000 wagons and more firms have come into the field for the manufacture of wagons. We have been placing experimental orders on some of the firms and they have already carried out those orders.

Shri S. C. Samanta : May I know the number of petrol tank wagons amongst the number that has been mentioned by the Minister?

Shri Alagesan : They are not included in this list.

Shri T. B. Vittal Rao : In the statement, it is said that Texmaco has been given only an order for 3,000 wagons and odd whereas the others, that is, the British-owned firms, have been given huge orders, for example, Braithwaites, Hudson, Jesseop, etc. Could I know the reasons for giving such a low number to Texmaco?

Shri Alagesan : I do not know whether my hon. friend is correct in presuming that the other firms are British-owned. Our information is that they are now managed by Indians with Indian capital. These firms were old firms. They were already in the field, manufacturing wagons, and so their capacity is more. We are trying to develop the capacity in other firms also.

Development Board for Delhi

*801. **Shri Radha Raman :** Will the Minister of **Health** be pleased to refer to the reply given to starred question No. 1089 on the 17th March, 1955 and state :

(a) whether Government have since taken any decision for the setting up of a Development Board in Delhi ; and

(b) if so, what will be the aims, functions and authority of the Board?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) The question of constituting a single statutory Planning and Development Authority for Delhi is still under the consideration of the Government of India ;

(b) Does not arise.

Shri Radha Raman : May I know what considerations have led the Government to think of forming such a Development Authority in Delhi.

Shrimati Chandrasekhar : The reason for the establishment of a single unit for looking after the development of urban areas of Delhi has been given a number of times in answer to questions. All this while, the control is being exercised by various bodies such as the Delhi Improvement Trust, the Land and Development Office, the C.P.W.D., the Ministry of Education, Notified Area Committees and the Ministry of Rehabilitation. So it is better to have one single controlling authority and tht is why this has been thought of.

Shri Radha Raman : Under the proposal which is under contemplation, may I know how many members that body will have and whether there will be any Chairman and whether that Chairman will be a whole timer, a non-official or an official?

Shrimati Chandrasekhar : To examine in detail all these aspects a committee has been set up and it has already submitted a report which is under consideration. After that is finalised, we will be able to give the hon. Member the details about this scheme.

Shri Radha Raman : By what time time can we expect this Authority to come into existence in Delhi?

Shrimati Chandrasekhar : It may be awaited shortly.

Telex Service

*802. **Shri Heda :** Will the Minister of **Communications** be pleased to state:

(a) in how many places the Telex Service has been provided ;

(b) the advantages of this system ;

(c) the expenditure on such changeover ; and

(d) in how many places this service is proposed to be introduced during the year 1955-56?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) At Bombay and Ahmedabad.

(b) A subscriber directly dials other subscribers in the same or distant towns and sends and receives written messages on teleprinter.

(c) This is a new service, not a changeover. The initial cost to Government is approximately Rs. 9,000 per line.

(d) Nil.

Shri Heda : Have Government fixed any target in this regard for the current year and if so, are they fulfilling the target?

Shri Raj Bahadur This is a new service which has been started on an experimental basis between Bombay and Ahmedabad. For this year, we do not have any proposal for setting up this Telex service between other towns.

Shrimati Kamlendu Mati Shah : How does it compare with the telegraph service?

Shri Raj Bahadur : It is like an exchange where, instead of speaking on the telephone, one can dial a particular party in the same town or in another town and then type his message on the teleprinter and the message is recorded on the other end.

Shrimati Kamlendu Mati Shah : I mean the expense : how does it compare with the telegraph service?

Shri Raj Bahadur : The expenses on rental . so far as the telephones are concerned, are known to the hon. Member. For Telex service, we started with nine annas for a local call of three minutes, and Rs. 4/8/- for a trunk call three minutes between Bombay and Ahmedabad. This rate had to be reduced and it was brought down to six anna for a local call and R. 3 for a trunk call between Ahmedabad and Bombay. These charges are levied besides the rental which depend upon the distance.

Training of Nurses

*803. **Dr. Rama Rao** : Will the Minister of **Health** be pleased to state:

(a) whether any foreign organisation has offerec facilities for the training of Indian nurses;

(b) if so, how many Indian nurses are expected to be sent abroad for training; and

(c) the special branches of nursing in which these nurses would be trained in Denmark?

The Deputy Minister of Healt (Shrimati Chandrasekher) : (a) Yes.

(b) 49, out of whom 22 have already left.

(c) In Tuberculosis Nrusing.

Dr. Rama Rao: May I know the selection State-wise, particularly from Andhra and Madras ?

Shrimati Chandrasekhar : I have not got here the break-up of the selection.

Dr. Rama Rao : What steps are the Government taking to upgrade nursing training in India; both in number as well as quality?

Shrimati Chandrasekhar : We have got a College of Nursing in Delhi and I wish the hon. Member would go and see it so that he would have a better idea of the steps that we are taking. That will give him a clear idea.

Dr. Rama Rao : How have these 49 persons been selected? Have they been selected by the Central Government direct or with the recommendations of the State Governments concerned?

Shrimati Chandrasekhar : Usually we ask the State Governments to recommend the candidates. From them, selection is again done here.

Shrimati Sushama Sen : What is the difficulty in giving training in our country itself similar to what is done in foreign countries?

Shrimati Chandrasekhar : Whenever we have facilities, we train our students here also. According to the information given, I can tell the hon. Member that even the UNICEF and WHO give fellowships and scholarships for students to be trained in India as well, wherever there are facilities.

Indian Fertilisers

*804. **Pandit D N. Tiwary** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether it is a fact that the quality of Indian Fertilizers is inferior to that of imported ones;

(b) whether any chemical analysis has been made to find out the manurial value of the Indian and imported fertilizers; and

(c) if so, with what result?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) No, Sir.

(b) Yes.

(c) The results obtained confirm the answer to part (a) of the question. In fact the Indian product is more popular and the farmers prefer it.

Pandit D. N. Tiwary : May I know whether the Government have taken any steps to dispel the suspicion or disillusionment from the minds of the peasants that the Indian fertiliser is inferior to the imported fertiliser?

The Minister of Food and Agriculture (Shri A. P. Jain) : There is no such illusion or suspicion.

श्री एम० एल० द्विवेदी : कल मंत्री महोदय से फर्टिलाइजर के सम्बन्ध में एक सवाल पूछा गया था, उस के लिये कहा गया था कि उस की विज्ञप्ति और प्रकाशन के लिये जो कार्य किये गये हैं वह फूड मिनिस्ट्री से पूछने चाहियें, मैं जानना चाहता हूं मंत्री महोदय से कि इस फर्टिलाइजर के सम्बन्ध में कौन से साधन प्रयोग में लाये गये हैं और क्या उस की सही जानकारी किसानों तक पहुंची है ।

डा० पी० एस० देशमुख : जी हां, उस की निस्बत हम ने जो कार्यवाही की है, मैं उस का नतीजा भी मैम्बर साहब को बतला सकता हूं, कि इस सवाल के अन्दर उस का कान्सम्शन दुगना बढ़ गया है और साथ ही साथ हम ने जो प्रचार किया है शुगरकेन बैटर प्रोडक्शन या पैडी का, उसमें भी इस का समावेश हुआ है और उस की वजह से अब बहुत काफी काश्तकार जानते हैं कि उस का क्या महत्व है और उस की खपत इतनी बढ़ गई है कि हमें मिलती नहीं है बाहर के देशों से जितनी हमें चाहिये ।

Shri L. N. Mishra : May I know how the price of the Indian fertilizer compares with the price of the imported stuff?

Dr. P. S. Deshmukh : There is not much of difference between the *ex*-factory price of the Sindri fertilizer and the price of the imported fertilizer. We are of course trying to see if we can reduce the price of the Indian fertilizer.

Shri A. P. Jain : I may add that the *ex*-factory price of the fertilizer manufactured at Sindri is Rs. 270 or Rs. 275 per ton and the C and F price of the imported stuff is near about Rs. 295 or Rs. 300.

Shri Bhagwat Jha Azad : May I know whether any experiment has been made regarding the effects of the continued use of this fertilizer on the productivity of soil?

Dr. P. S. Deshmukh : Yes, Sir. By and large we know the dangers of using it. But if it is used with manures and so on, there is no danger of any bad effect being produced.

श्री एम० एल० द्विवेदी : कल उत्पादन मंत्री ने बताया था कि फर्टिलाइजरज प्लांट की जो कैपेसेटी है, उतना उत्पादन हम इस लिये नहीं कर सके हैं, क्योंकि खपत कम है। आज मंत्री महोदय ने बताया है कि खपत दुगनी हो गई है। मैं पूछना चाहता हूं कि कल की स्टेटमेंट में और आज की स्टेटमेंट में फर्क क्यों है और अगर खपत काफी बढ़ रही है तो क्यों नहीं बढ़ाया जा रहा है ?

डा० पी० एस० देशमुख : मुझे मालूम नहीं क्या जवाब कल मंत्री महोदय ने दिया था। फिर भी मैं उन से इस के बारे में पूछूंगा।

Forestry

*805. **Shri Hem Raj :** Will the Mnister of **Food and Agriculture** be pleased to state :

(a) the main features of the schemes formulated for the development of forestry for inclusion in the Second Five Year Plan; and

(b) the expenditure to be incurred thereon ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) The main features of the schemes are extension of Forest Research & Forest Education, development of Matchwood plantations, preservation of Wild Life, setting upplans for seasoning and treating seecondary timbers, development of modern techniques for timber extraction, epansion of commercial timber plantations like teak, creation of industrial plntations such as wattle, blue gum etc. acquisition of valuable private forests and setting up of a Forestry Commission at the Centre.

(b) The total estimated cost of these schemes is of the order of Rs. 10 crores.

Shri Hem Raj : May I know whether the question of soil conservation will also be included in this ?

Dr. P. S. Deshmukh : That is entrusted to the Soil Conservation Boards.

Shri Hem Raj : May I know the the number of fires that have occurred so far in the year 1954 in the forests and the probable loss that has been caused ?

Dr. P. S. Deshmukh : The question of forest fires is a big one and we are not expected to have the information about the number of fires that took place. The Board of Forestry and other organisations are tackling this issue seriously along with the State Governments.

Shri Tek Chand: Is it within the contemplation of the Government to provide aerial haulage in the case of forests which are not accessible by road ?

Dr. P. S. Deshmukh : We have not gone much above the ground so far.

Shri Sarangadhar Das : May I know if any steps are being taken to prevent denudation of and poaching into forest which are causing more and more soil erosion from year to year ?

Dr. P. S. Deshmukh : We are very conscious of the damace done by these processes. All these efforts of ours in the field of soil conservation in the catchment areas of the forests etc. are directed to minimise this damage.

Small Ports in Andhra

*806. **Shri C. R. Chowdary :** Will the Minister of **Transport** be pleased to state:

(a) the amount sanctioned for the development of small ports in Andhra coast under the First Five Year Plan, and

(b) the amount spent so far ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Rs. 7 lakhs

(b) Rs. 19,833.

Shri C. R. Chowdary : May I know whether any amount has been spent for developing the minor ports like Vizagapatnam, Kalingapatnam etc. coastal shipping with a view to relieving the congestion of transport in railways and roads ?

Shri Shahnawaz Khan : This question is related to the development of ports in Andhra. The only two ports at present under consideration are Kakinada and Masulipatam.

Shri C. R. Chowdary : May I know whether Andhra State has submitted any scheme to develop coastal shipping in the East Coast ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : They are not directly interested in the development of coastal shippin g as such. This is with reference to the development of minor ports. As my colleague mentioned just now, the ports at present under consideration are Kakinada and Masulipatam. Evidently the hon. Member is interested in other ports as well. It is for the Andhra Government to take up the matter and approach the Centre, if necessary, for assistance.

Shri C. R. Chowdary : In the earlier portion of the reply, the hon. Deputy Minister was pleased to say that the Andhra

Government was not interested in the development of coastal shipping. May I know who is really interested in this.

Shri Alagesan : The private sector is interested in this and the Centre is trying to aid the private sector.

Shri C. R. Chowdary : May I know the reasons why only Rs. 19,000 is spent out of Rs. 7 lakhs sanctioned under the First Five Year Plan ?

Shri Alagesan : The Andhra Government have informed us recently that they will be able to spend the rest of the amount also before the financial year is over.

Kolar Gold Fields

***807. Shri T.B. Vittal Rao**: Will the Minister of **Labour** be pleased to refer to the reply given to starred question No. 102 on the 26th July, 1955 and state:

(a) whether an enquiry was held into the causes of the incidents which took place on the 27th May, 1955 in the Champion Reef Gold Mines at the Kolar Gold Fields;

(b) if so, the details of the findings; and

(c) the compensation paid to each victim of the accident?

The Deputy Minister of Labour (Shri Abid Ali) : (a) Yes.

(b) The enquiry revealed that the accident was caused by fall of 600 cubic feet of the inner lining of a shaft vertically through 378 ft. Over a cage stationed in its downward trip resulting in the death of 10 persons and injury to 8 others. No one was considered to be responsible for the mishap and the accident has been classified as a case of misadventure.

(c) A sum of Rs. 25,100 has been deposited by the company with the Workmen's Compensation Commissioner on 13-6-55 for the dependents of the deceased. The injured persons have been paid a sum of Rs. 334/1/- as compensation. Information regarding compensation in each case is not available.

Shri T. B. Vittal Rao: May I know now why a court of inquiry was not appointed to go into the cause of this accident even though a large number of workers have been involved?

Shri Abid Ali: I do not think that the appointment of a court of inquiry was called for in this particular case because our inspectors have gone into the details of the case and we are satisfied with their report.

Shri T. B. Vittal Rao: May I know when the emergency regulations under the Indian Mines Act are going to be promulgated? It was said a few months ago that the Government was considering the promulgation of emergency regulations under the Mines Act, 1952.

Shri Abid Ali: I hope to finalise these rules soon.

Shri T. B. Vittal Rao : May I know if the Government are aware of the fact that there has been a relaxation in the expenditure for safety measures in the mines ever since the decision of the Mysore Government to nationalise the Kolar Gold Fields was announced? If so, what steps are Government taking in this regard?

Shri Abid Ali: I do not think that the information of the hon. Member is right. Still, I will check it up.

Shortage of Wagons

***808. Shri Raghavaiah**: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that due to short supply of wagons the production and despatch in the Arumuganeri salt Fields in Madras State has suffered in recent months; and

(b) if so, the action proposed to be taken in the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). A statement is laid on the Table of the House [*See* Appendix V, annexure No. 43].

Shri Raghavaiah: May I know whether this short supply of wagons for the despatch of salt produced in the fields mentioned in this question is due to making available many wagons to the unlicensed salt manufacturers and not to the licensed salt manufacturers?

Shri Shahnawaz Khan: Movement of salt comes under two categories. One is the zonal salt, that is, salt, the movement of which is controlled by the Salt Commissioner. It has got a very high priority and comes under preferential traffic schedule, item (c). From the statement, the hon. Member must have found out that almost all the demands were fully met as regards zonal salt. There is another type which is categorised as non-zonal salt. This is not controlled by the Salt Commissioner. People apply

for wagons. Twenty wagons a day are reserved for the Madurai district. We try to meet the requirements as much as possible.

Shri Raghavaiah: May I know whether any complaints have been received from the licensed salt producers in that particular zone with regard to the despatch of the salt produced in that area?

Shri Shahnawaz Khan: As I said already, the actual allotment of wagons is controlled by the Salt Commissioner and he is responsible for recommending the parties concerned. I would also like to submit for the information of the House that the output of salt from licensed factories in 1955 was 75,000 maunds and from the unlicensed factories, the output is 705,000 maunds.

इंडियन एयर लाइन्स कारपोरेशन

*८०६. **श्री रघुनाथ सिंह** : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि इंडियन एयर लाइन्स कारपोरेशन पांच "विसकांउट" विमान खरीदने का विचार करता है; और

(ख) यदि हां, तो वे किस देश से खरीदे जा रहे हैं और उन का मूल्य क्या है ?

संचार उपमंत्री (श्री राजबहादुर) : (क) हां, श्रीमान् ।

(ख) ये विमान संयुक्त राज्य (यू० के०) से खरीदने जा रहे हैं और उन का मूल्य १.९६ करोड़ रुपया है ।

श्री रघुनाथ सिंह : हवाई जहाज के इंजिन की एज क्या होगी ?

श्री राजबहादुर : यह बहुत कठिन है कि किसी एक हवाई जहाज की एज निश्चित रूप से बताई जा सके, क्योंकि हम जानते हैं कि जब कभी उसे सर्टिफिकेट आफ एयर वर्दीनेस लेना पड़ता है, उस वक्त भी और ओवरहालिंग के वक्त भी उसके भुगते हुए भाग बिल्कुल नये भागों से बदल दिये जाते हैं और वह बहुधा नया जैसा ही हो जाता है। वह कितने समय तक चल जाता है, तो भिन्न भिन्न वायुयानों के लिये भी अलग अलग है ।

डा० एस० एन० सिंह : इंजन के फ्लाइंग आवर्ज क्या होते हैं ?

श्री राजबहादुर : अगर आपका एक ओवरहौल से दूसरे ओवरहौल तक फ्लाइंग आवर्ज बिटवीन में है, तो मैं वह निश्चित सूचना नोटिस पर दे सकूंगा ।

Shri G. S. Singh: May I know whether it is a fact that considerable differences existed between experts as to the suitability of this aircraft and, if so, whether this resulted in delay in ordering them and postponing the delivery date by two years ?

Shri Raj Bahadur: I think it is not correct to say that considerable differences in their views existed because the advantages of the Viscount over the Conveir appeared to outstanding in the ultimate analysis of things looking at the cost of operation, the safety factor and other relevant factors.

Air Companies

*811. **Shri Ram Shankar Lal**: Will the Minister of **Communications** be pleased to state:

(a) the number of employees of the previous Air Companies who have not yet been provided with any job.

(b) whether any representations have been received from such employees; and

(c) if so, the steps proposed to be taken in the matter?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (c). All the employees of the former air companies who were in service prior to 1st July, 1952 and who continued to be in service on the 31st July, 1953 were taken on by the respective corporations under Section 20 of the Air Corporations Act, 1953. Even other employees who had joined the Companies on or after the 1st July, 1952 and who were in service on the 31st July, 1953 were taken on by the Corporations. No retrenchment has since then been made by either of the Corporations.

श्री एम० एल० द्विवेदी : मैं यह जानना चाहता हूं कि जब से सरकार ने ये एयर

कारपोरेशन्ज़ ली है, तब से अब तक उस ने उन में कितने नये एम्प्लाईज रखे हैं ?

श्री राज बहादुर : ये कारपोरेशन्ज़ बनने के बाद कितने एम्प्लाईज रखे गये हैं, यह सूचना मेरे पास इस समय नहीं है एकत्र कर के मैं सभा-पटल पर रख सकूंगा ।

श्री हेडा : जब एयर-कारपोरेशन्ज़ ली जा रही थीं, तो कहा गया था कि इन को नैशनलाइज करने से इकानोमी होगी, तो फिर ये एम्प्लाईज रखना क्यों जरूरी हो गया है ? क्या इस की वजह यह है कि और सर्विसेज बढ़ाई गई ह या इकानामी नहीं हो पाई है, जिस के होने की सम्भावना थी ?

श्री राजबहादुर मेनटेनेन्स और इंजीनियरिंग को देखते हुए, जो नई सर्विसेज बढ़ाई गई हैं, उन को देखते हुए और आन्तरिक व्यवस्था की आवश्यकताओं के अनुसार एयर-कारपोरेशन्ज ने कुछ और व्यक्तियों को सम्भवत: नौकरियों में लिया है ।

वाच एण्ड वार्ड विभाग

*८१२. **श्री सिंहासन सिंह** : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी, १९५३ से उत्तर पूर्व रेलवे पर रेलवे के और अन्य माल भेजने वालों के माल की चोरियों की संख्या में कहां तक कमी हुई;

(ख) जनवरी, १९५३ से इस रेलवे पर वाच एण्ड वार्ड विभाग से संधारण पर औसत वार्षिक व्यय कितना हुआ; और

(ग) इस विभाग की स्थापना से पूर्व रेलवे को कुल कितने दावों के सम्बन्ध में क्षति पूर्ति देनी पड़ी और उस के बाद की संख्या कितनी है ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) to (c). A statement giving the required information is laid on the Table of the House. [*See* Appendix V, annexure No. 44]

Shri Sinhasan Singh: From the statement it appears that in 1955-56, the number of thefts up to June, 1955 was 331. But the number of claims for the corresponding period has not been given. May I know the reasons for not giving these figures for the same period?

Shri Shahnawaz Khan: Because, before we accept responsibility for paying any claims we have to carry out very lengthy enquiries to satisfy ourselves whetner the claim is a justifiable one.

Shri Sinhasan Singh: Payment is different. I want the number of claims so far put forward.

Shri Shahnawaz Khan: I have not got the number of claims preferred. We maintain figures of claims actually paid.

Shri Sinhasan Singh: From the statement it appears that since the appointment of the watch and ward, the number of claims has increased by thousands. In 1948-49 the claims paid came to 7782. But after the appointment, in the next year the number of claims rose to 12,668. May I know the reason for the rise after the appointment?

Shri Shahnawaz Khan: The hon. Member quoted the figures of the year 1948-49 and said that the number of claims was 7000 and odd and this increased in 1949-50 to 12,668. I wish the hon. Member had gone a little further down the statement and put himself more uptodate. In 1953-54, the number had come down from 12,668 to 3,536; very creditable.

The Deputy Minister of Railways and Transport (Shri Alagesan): I should like to add that in that year 1949-50, the figure included the cases relating to the *Ex*-Assam Railway too.

Shri Sinhasan Singh: The figures for 1948-49 also included the *ex*-Assam Railway figures. My hon. friend said about the decrease. In 1952-53, again, it rose to 8,420.

CHAMARAJANAGAR-SATYAMANGALAM RAILWAY LINE

*814. **Shri N. Rachiah**: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Government of India have received a representation recently from the Government of Mysore urging for the immediate construction of a Railway line from Chamarajanagar to Satyamangalam; and

(b) if so, the action taken in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) The proposal has been noted for consideration while selecting new lines for construction during the Second Five Year Plan Period.

Shri N. Rachiah: May I know whether the Government are aware that the people of Mysore are extremely dissatisfied on account of the delay in taking up this line though the survey was made before the integration of the Mysore State Railway with the Central Railway?

Shri Alagesan: Yes, Naturally. The people of every State want several lines to be taken up and if they are not taken up immediately, there is a certain amount of dissatisfaction about it. We would like to take up all the lines together. But, it is not possible.

Shri N. Rachiah: May I know whether it has come to the notice of the Government that the Industries Minister of Mysore has expressed a strong feeling of regret towards the Railways Ministry as it has not taken any step to put up any single railway track in the Mysore State, particularly in the south?

Shri Alagesan: It is very unfortunate that such regional claims should be advanced in such an unfortunate way. We would like to give our consideration to this line. But, the terrain is not an easy one. It is a higly costly proposition and it is not paying too. All these things have to be taken into consideration.

Shri M. S. Gurupadaswamy: Just now the Deputy Minister said the terrain is bad and it is very costly. Was not this particular aspect taken into consideration when the line was considered by the late Shri Gopalaswami Ayyangar? Was it not proposed to be implemented in the First Five Year Plan?

Shri Alagesan: At a meeting of the Central Board of Transport which was held some time early in 1952, it was decided to take up this and it was also decided to take up another line, *viz.*, the Kandwa-Hingoli line, because these two lines were for the purpose of filling up the meter gauge gap.

Shri M. S. Gurupadaswamy: Was it not sanctioned, I want to know.

Shri Alagesan: We were able to take the other line and that work is going on, but in this regard we are surveying another line between Bangalore and Salem. If this connection can be given, there may not be any necessity to connect these two points. So, after the survey of the Salem-Bangalore line is received, the relative merits of the two lines will be considered.

Shri T. S. A. Chettiar: Has not the Madras Government also recommended the taking up of this line?

Shri Alagesan: Perhaps they have done, I do not very well remember.

Telephones

*815. **Sardar Iqbal Singh:** Will the Minister of **Communications** be pleased to state:

(a) the number of telephones installed in rural areas in the different States at present;

(b) whether there is any proposal for the reduction of the preliminary and yearly fees so that rural people may be benefited by the telephones;

(c) if so, the nature of those proposals; and

(d) the steps taken by Government to popularise telephones in villages?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 2,076 connected to the trunk telephone network, in addition, there are 2,036 other telephones installed by the P & T. Department or installed by the individuals under licence from the P & T Department.

(b) and (c). The matter is under consideration.

(d) During the First Plan period, steps have already been taken to extend telephone facilities to all District and sub-Divisional towns. Under the Second Plan, it is proposed to extend the facilities to further categories of stations to the extent possible. In addition, telephones are installed in other rural places wherever the proposals do not involve any loss to the P. & T. Department.

Sardar Iqbal Singh: May I know whether Government is aware of the fact that the yearly rate for a telephone located beyond a radius of five miles from a city is Rs. 600 and within a radius of five miles it is Rs. 315? May I know the reasons for this?

Shri Raj Bahadur: The rates are as follows. Inside the towns we have got a rate of Rs. 288 per annum. For rural areas, within a radious of one mile from the Exchange, it is Rs. 250; between one and two miles it is Rs. 270; between two and three miles it is Rs. 288 and so on it depends upon that. As a matter of fact, we are already aware of the situation and we have appointed a committee to rationalise the rate structure of telephones.

Sardar Iqbal Singh: What is the total number of applications received from villagers or rural people for the allotment of telephones, how many applications were rejected, and is the rejection rate comparable to that in the cities?

Shri Raj Bahadur: As a matter of fact, our expansion work in most areas has gone beyond even the demands made on us. We propose to provide telephone exchanges to district headquarters and connect sub-divisional headquarters with public call offices and now we have under consideration the proposal to connect tehsil headquarters also. May be that in some cases a particular place does not fall within any of these three categories but any such demands which may have come which must have been examined on their own merits. If in any particular case any such demand has been rejected, I will be only too glad to look into and see if it is justified on the principles referred to above.

Sardar Iqbal Singh: My question has not been answered.

Mr. Speaker: Order, order.

Shri A. M. Thomas: May I know whether even according to the present rates Government is in a position to meet the demand and if not, what percentage of the demand is being met. May I also enquire how many of the 4,000 and odd telephone connections mentioned by the hon. Minister are automatic?

Shri Raj Bahadur: In the rural areas I do not think we have got automatic exchanges, may be at few places we have the R.A.X. We have, however, now evolved new types of automatic exchanges at the Indian Telephone Industries, Bangalore for the requirements of smaller places. These will be ten-line automatic systems, twenty five-line automatic systems, fifty-line automatic systems and hundred-line automatic systems. These we propose to instal in such places as are served by alternating current power, and I think in that case the rural areas will also have the benefit of service of automatic telephone systems.

श्री कामत : देहाती जनता की जानकारी के लिये इस यंत्र को टेलीफोन कहा जायेगा या दूर भाषी कहा जायगा ?

श्री राजबहादुर : मेरी समझ में टेलीफोन शब्द इतना प्रचलित है कि वह सबकी समझ में आ सकता है । यदि माननीय सदस्य इस को दूर-भाष कहना चाहते हैं तो उसे वह ऐसा कह कर प्रसन्न हो सकते हैं ।

Ware-Houses

*816. **Shri C. R. Narasimhan:** Will the Minister of **Railways** be pleased to state.

(a) whether the attention of Government has been drawn to the suggestion for the provision of Railway Ware-houses at important stations made by Sri C. R. Srinivasan at the Seminar on the Five Year Plan held at Coimbatore recently; and

(b) if so, the action taken in the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No.

(b) Does not arise.

Shri C. R. Narasimhan: In view of the great necessity and the possibility of the Railways affording these warehousing facilities, what prevents the Government, now that this question has been put, from examining the matter and finding out whether by way of an experimental measure such facilities can be given to promote warehouses?

The Deputy Minister of Railways and Transport (Shri Alagesan): We have a programme to expand good-shed facilities wherever it is necessary, but the construction of warehouses stands on a different footing and Railways are not concerned with the stocking of general goods for the benefit of private merchants. But we have, as I said, a programme of expanding good-shed facilities wherever it is found necessary.

Honey

*818. **Th. Jugal Kishore Sinha:** Will the Minister of **Health** be pleased to state:

(a) whether it is fact that the sale of adulterated honey has increased recently; and

(b) if so, whether Government propose to fix grade specifications for honey?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) The Government of India have no information to that effect;

(b) A standard specification for honey is, however, under consideration for being adopted in the Rules which are being framed under the Prevention of Food Adulteration Act 1954.

ठाकुर युगल किशोर सिंह : इस सम्बन्ध में कब तक सरकार की तरफ से विचार खत्म होगा और कब तक कार्यवाही की जायेगी ?

By what time will Government be able to finalise their proposals in this matter?

Shrimati Chandrasekhar: As soon as the rules are framed for the Prevention of Food Adulteration Act, 1954, we will be able to say this.

Shri Dabhi: May I know whether there is any test which can be applied by a layman for finding out whether there is adulteration in honey ?

Shrimati Chandrasekhar: I will require notice for that.

Shri V. P. Nayar: May I know whether Government are aware that honey is very often adulterated by contractors who are given a monopoly to collect honey from the forests, as honey is included among the minor forest products, and it is they who start adulteration?

Shrimati Chandrasekhar: I have no information.

एयर लाइन्स क्षतिपूर्ति न्यायाधिकरण

*८२२. **श्री के० सी० सोधिया** : क्या **संचार** मंत्री यह बताने की कृपा करेंगे कि :

(क) एयर लाइन्स क्षतिपूर्ति न्यायाधिकरण द्वारा अभी तक कुल कितने मामले निबटाये गये हैं ;

(ख) न्यायाधिकरण के सामने अभी तक कितने मामले निर्णयाधीन हैं ; और

(ग) कार्य समाप्त करने में न्यायाधिकरण को कितना समय लगने की सम्भावना है ?

संचार उपमंत्री (श्री राज बहादुर) (क) दो ;

(ख) सात (एक ही विषय पर)

(ग) लगभग दो महीने ।

श्री के० सी० सोधिया : न्यायाधिकरण ने जो मामले निपटाये हैं उनमें कुल कितना दावा था ?

श्री राज बहादुर : उनमें दावा तो करीब २० या ३० लाख का था ।

श्री के० सी० सोधिया : कितने में निपटायेंगे ?

श्री राज बहादुर : मैं इसको नोटिस पर बताऊंगा ।

श्री के० सी० सोधिया न्यायाधिकरण में कुल कितने सदस्य हैं ?

श्री राज बहादुर : न्यायाधिकरण में मुख्य सदस्य श्री पातंजलि शास्त्री हैं और उनके दो सहायक हैं ।

श्री के० सी० सोधिया इसमें कितनी एयर कम्पनियों के दावे थे ?

श्री राज बहादुर लगभग सात के वर्तमान हैं जो कि लगभग एक ही पाइंट पर हैं । वह लीव पे के सम्बन्ध में हैं ।

पर्यटक केन्द्र उत्तर प्रदेश

*८२३. **श्री भक्त दर्शन** : क्या **परिवहन** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर प्रदेश की सरकार ने छः वर्षीय योजना के अन्तर्गत राज्य में पर्यटन के विकास के लिये अपने सुझाव भेज दिये हैं; और

(ख) यदि हां, तो क्या उनके विवरण सभा-पटल पर रखे जायेंगे ।

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी, हां ।

(ख) विवरण सभा-पटल पर प्रस्तुत है । [देखिये परिशिष्ट ५, अनुबन्ध सं० ४५]

श्री भक्त दर्शन : विवरण से ज्ञात होता है कि अल्पकालीन योजनाओं के लिये ८५,४०,००० रुपये की मांग की गई है और दीर्घकालीन योजनाओं के लिये १,०३,८६,००० रुपये की मांग की गई है । मैं यह जानना चाहता हूं कि क्या यह सारी योजनायें स्वीकार की जा चुकी हैं या इन में अभी कुछ काट छांट की जायेगी ?

श्री अलगेशन : सारी योजना पर हम ख्याल कर रहे हैं ।

श्री भक्त दर्शन : क्या मैं यह जान सकता हूं कि इस सम्बन्ध में अभी भी राज्य सरकार से, या संसद् सदस्यों से या और व्यक्तियों से सुझाव निमंत्रित किये जा सकते हैं और उन के ऊपर विचार किया जा सकता है, या इन के सिवा और किसी पर विचार ही नहीं किया जायगा ?

श्री अलगेशन : जरूर सदस्य सुझाव भेज सकते हैं ।

श्री भक्त दर्शन: मैं यह जानना चाहता हूं कि क्या इस के साथ में कोई ऐसी योजना भी बनाई जा रही है कि जिला बोर्ड, नगर पालिका या इस तरह की गैर सरकारी संस्थायें अगर अपने इलाकों में पर्यटन उद्योग का विकास करने के लिये कोई योजना प्रस्तुत करें तो उन को भी सहायता मिल सकेगी या केवल राज्य सरकारों को ही यह रुपया दिया जायगा ?

Shri Alagesan: I think the hon. Member refers to the suggestions that will be made by local bodies, etc.

Mr. Speaker: His question is whether local bodies will be given encouragement for development of tourist traffic, or it will be restricted only to the State Governments.

Shri Alagesan: The U.P. Government have sent a very ambitious programme. The cost of it comes to Rs. 1,93,26,000. With reference to the Buddha Jayanti that is falling next year, we have already decided to effect improvements, like communications, building of rest-houses etc. in four places, namely Sarnath, Khusinagar, Sravasti and Shakasia. The total estimate for all these works comes to Rs. 43,33,000. When the State Governments send these programmes, they take into account all the places of tourist interest which they want to develop within their State limits.

Shrimati Kamlendu Mati Shah: May I know whether such tourist centres are proposed to be opened in Tehri Garhwal and Pauri Garhwal ?

The Minister of Railways and Transport (Shri L. B. Shastri): If the hon. Member will see the statement which has been laid on the Table of the House, she will find that a number of places from Tehri Garhwal has been included.

रेलवे सर्वेक्षण

*८२५. **श्री बलवन्त सिंह महता** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) चालू वर्ष के रेलवे बजट में व्यवस्था की गई उदयपुर–हिम्मतनगर और चितौड़-गढ़ कोटा रेलवे लाइनों के सर्वेक्षण के सम्बन्ध में अभी तक क्या प्रगति हुई है : और

(ख) इन लाइनों के निर्माण का कार्य कब आरम्भ किया जायेगा ?

रेलवे तथा परिवहन मंत्री के सभा सचिव (श्री शाहनवाज़ खां) : (क) रेलवे से कहा गया है कि जरूरी सर्व (Survey) के खर्च का अनुमान तैयार कर के भेजें ।

(ख) अभी कुछ नहीं कहा जा सकता ।

श्री बलवन्त सिंह महता : क्या मंत्री महोदय यह बतायेंगे कि यह सर्वेक्षण किस प्रकार के हो रहे हैं ?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : ट्रैफिक सर्वे हैं ।

श्री बलवन्त सिंह महता : मैं यह जानना चाहता हूं कि यह सर्वेक्षण ब्राडगेज के लिये हो रहा है या मीटर गेज के लिये हो रहा है ?

श्री एल० बी० शास्त्री : चितौड़गढ़ से कोटा तक तो ब्राडगेज के लिये हो रहा है और उदयपुर से हिम्मतनगर तक जो सर्वेक्षण हो रहा है वह मीटर गेज के लिये हो रहा है ।

श्री बलवन्त सिंह महता : क्या जनता की ओर से कोई ऐसा आवेदन पत्र आया है जिस में उदयपुर को बासवाड़ा होकर रतलाम से मिलाने को कहा गया है ?

श्री एल० बी० शास्त्री : जी हां, आया है ।

श्री बलवन्त सिंह महता : सरकार उस पर क्या विचार कर रही है ?

श्री एल० बी० शास्त्री : अभी तो सर्वे हो रहा है । दूसरे रास्तों पर भी विचार करेंगे लेकिन कोई उस के बारे में अभी फैसला नहीं किया गया है ।

Calcutta Port

*826. **Shri H. N. Mukerjee :** Will the Minister of **Transport** be pleased to state:

(a) whether his attention has been drawn to the April, 1955 issue of the *Port Engineer*, the quarterly publication of the Calcutta Port Commissioner's Engineer Officers' Association, wherein an important plea is made for the setting up of an auxiliary port for Calcutta, further towards the sea ; and

(b) if so, what are his reactions to the suggestion ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Yes, Sir.

(b) The establishment at great cost of an auxiliary port at Geonkhali is not considered necessary as additional port facilities sufficient to meet allt he anticipated traffic needs of the hinterland are being provided at Calcutta.

Shri H. N. Mukerjee : Have Government any reports on the advantages accruing to Hamburg in Western Germany on account of its having an auxiliary port, and have Government applied their mind on the basis of such comparative study to the possibilities of improving and expanding the working of the Calcutta port ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : I do not know when my hon. friend has turned his attention to Germany from Russia. He has based this question on a certain statement made in a magazine called *The Port Engineer*. There, it is said that a certain auxiliary port has been very helpful to Bremen. But here the conditions differ very widely. We have studied the pros and cons of it, and it appears that a separate port at great cost will not be of much use. The same facilities can be obtained by improving the Calcutta port itself. That is the result of our study.

Shri S. C. Samanta : Is it not a fact that the research station at Poona has commented that unless the Ganga barrage scheme is taken up, the passage of the Calcutta port is not safe for transportat on, and if so, why is the Ganga barrage not being taken up at present ? What are the difficulties that have been pointed out by the French experts who visited Geonkhali in connection with this auxiliary port ?

Shri Alagesan : The hon. Member is mixing up many things. There is no use of raising this alarm that the Calcutta port will be threatened if something is not done. This alarm has been there for a number of years. But the particular question whether there should be a barrage constructed at a particular point is, I think, under the consideration of the Ministry of Irrigation.

Rolling Stock

*827. **Shri K. P. Tripathi :** Will the Minister of **Railways** be pleased to state :

(a) whether it is a fact that there is acute shortage of engines and coaches in Tezpur-Rangiya line ; and

(b) if so, when this shortage is expected to be made up ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) There is a shortage of engines and coaches in relation to the traffic requirements on the Tezpur Rangiya section of North Eastern Railway.

(b) By the end of 1956.

Shri K. P. Tripathi : May I know whether it is a fact that the coaches are so short in this line that if one coach is sent for repair, then the train has to go without any replacement of that coach ?

Shri Alagesan : I have already stated that there is a shortage of coaches. But I do not know at whose expense the hon. Member wants to cause laughter. We are trying to give more coaches and more locomotives to this railway.

Shri K. P. Tripathi : May I know whether it is a fact that in this line the engines are, so short that on one occasion when it was discovered that the engine was faulty, it was said that it must proceed because there was no other engine, and thus it was left on the way ?

Mr. Speaker : These are all details.

The Minister of Railways and Transport (Shri L. B. Shashtri) : I am not sure whether the hon. Member should go by these cock-and-bull stories.

Tele-Communications Research Centre

*828. **Shri Gadilingana Gowd :** Will the Minister of **Communications** be pleased to refer to the reply given to starred question No. 1523 on the 30th September, 1954 and state :

(a) whether Government have since taken any decision for the setting up of a Tele-Communications Research Centre :

(b) whether Government have secured the Services of an experienced Tele-Communications Research Officer; and

(c) if so, to which nationality he belongs and what is his salary?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) Yes.

(b) Yes. The post of Director Telecommunication Research Centre, has been filled by an experienced Telegraph Engineer of the Posts and Telegraphs Department.

(c) Indian. The officer is drawing Rs. 1600/- p. m. as salary, the maximum in the pay scale of Rs. 1300—1600.

Shri Gadilingana Gowd : May I know whether Government have any proposal to send our nationals abroad for training in this research work ?

Shri Raj Bahadur : At present, we are engaged in setting up the institute itself, including the laboratory etc. and with the recruitment of necessary staff. This particular aspect may be considered later on.

Shri Gadilingana Gowd : May I know the cost involved in establishing this research centre ?

Shri Raj Bahadur : Rs. 4·4 lakhs for equipment in the first stage of the research laboratory, and Rs. 3·34 lakhs per year in its third year of operation.

Shri Raghavachari : May I know whether there are any arrangements for advanced training in telecommunications ?

Shri Raj Bahadur : The essential purpose of this particular organisation is research into the design of the equipment, improvement of the equipment and investigation into fundamental problems and aspects of telecommunication engineering. The question of training is hardly within its scope as such.

Railway Engineering Service

*829. **Sardar Akarpuri** : Will the Minister of **Railways** be pleased to state :

(a) the method of recruitmen to the Railway Engineering Services ;

(b) whether it is a fact that there is a shortage of qualified and experienced engineers in the Railway Services ; and

(c) if so, whether there is any scheme for the recruitment of suitable engineers from outside ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) to (c). A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 46].

सरदार अकरपुरी : क्या मैं जान सकता हूं कि यह जो रिक्रूटमेंट होता है यह डाइरेक्ट किस निस्बत से होता है और थ्रू डिपार्टमेंट किस निस्बत से होता है ?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : गजेटेड आफिसर्स, यूनियन पबलिक सर्विस कमीशन के जरिये लिये जाते हैं ज्यादातर इंजीनियर्स यूनियन पबलिक सर्विस कमीशन से लिये जाते हैं सिवाय उन के कि जो नरक्की से नीचे से ऊपर आते हैं ।

सरदार अकरपुरी : क्या मैं जान सकता हूं कि जो इंजीनियर्स डाइरेक्ट लिये जाते हैं, उन को रेलवे के काम की तालीम देने के वास्ते कोई इंस्टीट्यूशन है, और अगर नहीं, है, तो उन को वह ट्रेनिंग किस प्रकार से दी जाती है ?

श्री एल० बी० शास्त्री : इतनी उन को वाकफियत होती है । वह पूरी डिग्री ले कर आते हैं और रेलवे में काम के निस्बत अगर कोई खास बात होती है तो उन का पता काम कर के उन्हें चल जाता है ।

पंडित डी० एन० तिवारी : क्या सरकार को मालूम है कि नार्थ ईस्टर्न रेलवे में बिना इंजीनियरिंग पास किये हुए भी इंजीनियर्स ले लिये जाते हैं ?

श्री एल० बी० शास्त्री : यह तो आप के रेलवे की खास खूबी हुई ?

पंडित डी० एन० तिवारी : गोरखपुर में मि० स्मार्ट जो इंजीनियर नहीं थ आफिस द्वारा वह इंजीनियर बहाल कर लिय गय.....

Mr. Speaker : The hon. Member can give the names in private, and not mention the names here. It is no use creating a prejudice against the man. He is not here to defend himself.

Pandit D. N. Tiwary : I want to know whether it is a fact.

WRITTEN ANSWERS TO QUESTIONS

Taxation Enquiry Commission Report

***793. Shri Sivamurthi Swami :** Will the Minister of **Railways** be pleased to state :

(a) whether Government have considered the recommendations of the Taxation Enquiry Commission regarding taxation of Railways property by local authorities ; and

(b) if so, the decision taken in the matter ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Still under consideration.

(b) Does not arise in view of the answer to part (a) of the question.

Canteens

***794. Shri Gidwani :** Will the Minister of **Railways** be pleased to state :

(a) whether it is a fact that Railways are running canteens for their staff in certain workshops and at certain important stations :

(b) whether it is also a fact that these canteens are showing considerable losses ; and

(c) if so, the total loss shown by all the canteens during 1953-54 ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Yes.

(b) and (c). Taking Indian Railways as a whole there is now no loss, but there was a loss of about Rs. 23,000 in 1953-54.

Radio and Cable Board

***795. Shri Krishnacharya Joshi :** Will the Minister of **Communications** be pleased to state the main technical problems tackled by the Radio and Cable Board during the last year ?

The Deputy Minister of Communications (Shri Raj Bahadur) : A list showing the main technical problems tackled by the Board is placed on the Table of the Lok Sabha. [*See* Appendix V, annexure No. 47].

सोन नदी पर पुल

***७९८. श्री विभूति मिश्र :** क्या **परिवहन** मंत्री १० दिसम्बर, १९५४ को तारांकित प्रश्न संख्या १०४७ के उत्तर में रखे गये विवरण के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) सोन नदी पर पुल बनाने के संबंध में क्या प्रगति हुई है; और

(ख) उस काम के कब तक समाप्त होने की सम्भावना है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज खां) (क) तथा (ख). पुल के लिये चुने हुए स्थान की उपयोगिता की जांच के नमूनों का परीक्षण प्रगति पर है और आशा की जाती है कि पुल निर्माण का प्रारम्भ तथा उस की समाप्ति द्वितीय पंच वर्षीय योजना काल में पूरी हो जायेगी ।

मध्य भारत में मलेरिया नियंत्रण

***८१०. श्री अमर सिंह डामर :** क्या **स्वास्थ्य** मंत्री यह बताने की कृपा करेंगी कि :

(क) मध्य भारत के मलेरिया पीड़ित क्षेत्रों मे मलेरिया को समूल नष्ट करने के लिये सरकार द्वारा अभी तक क्या उपाय अपनाये गये हैं; और

(ख) इस दिशा में अभी तक क्या प्रगति हुई है ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर) : (क) राष्ट्रव्यापी रूप में देश भर में मलेरिया पर प्रभावकारी नियंत्रण के लिये अप्रैल, १९५३ में भारत सरकार द्वारा शुरू किये गये National Malaria Control Programme के अन्तर्गत मध्यभारत को १९५३-५४ में दो मलेरिया कंट्रोल यूनिट दी गयीं । प्रोग्राम को और विस्तृत बनाने के लिये, जिस से मध्य भारत के सभी

मलेरिया पीड़ित क्षेत्र इस के अन्दर आ सकें, १९५४–५५ में दो और यूनिट दी गयीं तथा १९५५–५६ में भी दो और यूनिट दी गयीं ।

(ख) राज्य अधिकारियों से प्राप्त सूचना के अनुसार १९५४–५५ में २५ नगरों और ५,१८९ गांवों में डी० डी० टी० का छिड़काव किया गया, जिस से लगभग ६० लाख व्यक्तियों में से, जिन्हें मलेरिया का खतरा था, २५,२०,४६५ व्यक्तियों की रक्षा की गई ।

Dakota Aircraft

*813. **Shri Viswanatha Reddy :** Will the Minister of **Communications** be pleased to state :

(a) whether it is a fact that four Dakotas have been permitted to be exported to Afghanistan by a private firm :

(b) whether any price has been fixed for the Dakotas ; and

(c) if so, the difference between this price and the price paid under the Air Corporations Act ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (c). I lay on the Table of the Sabha a statement giving the requisite information. [*See* Appendix V, annexure No. 48].

Railway Hospitals

*817. **Shrimati Sucheta Kripalani :** Will the Minister of **Railways** be pleased to state :

(a) whether Medical Officers are available to attend the emergency cases outside the regular working hours in the Railway Hospitals ?

(b) if so, whether it is a fact that on the 25th June, 1954, a patient died in Railway Hospital at Ajmer just because no immediate medical aid could be provided to him at the time of his admission to the Hospital :

(c) whether it is also a fact that even on repeated requests from different quarters, no steps have been taken so far to enquire into the whole affair ;

(d) if so, the main reasons therefor ; and

(e) whether Government propose to conduct an enquiry into the matter and place a copy of the Report on the Table of the House ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) to (c). A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 49].

Labour Appellate Tribunal

*819. **Shrimati Ila Palchoudhury :** Will the Minister of **Labour** be pleased to refer to the reply given to starred question No. 2316 on the 16th April, 1955 and state :

(a) whether it is a fact that Government have received representations from the All-India Labour Organisations for the abolition of the Labour Appellate Tribunal ;

(b) if so, from which Organisations ; and

(c) the main and common grounds on which these Organisations, demand the abolition of the Labour Appellate Tribunal ?

The Deputy Minister of Labour (Shri Abid Ali) : (a) and (b). Yes, from all the four Organisations, *viz.*, Indian National Trade Union Congress, Hind Mazdoor Sabha, All India Trade Union Congress, and United Trade Union Congress.

(c) The main ground is that unduly long time is taken by the Tribunals to dispose of the appeals.

Post Offices at Kurnool and Hyderabad

*820. **Shri P. Ramaswamy :** Will the Minister of **Communications** be pleased to state :

(a) the steps taken to raise the status of Head Post Offices at Kurnool and Hyderabad to that of General Post Offices ; and

(b) the measures proposed to be taken to improve the postal, telegraph and telephone facilities at these two places ?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) There is no justification for raising the existing status of these Head Post Offices.

(b) A statement is laid on the Table of the Lok Sabha [*See* Appendix V, annexure No. 50].

Standards of Gur

*821. **Shri M. Islamuddin :** Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether it is a fact that the Gur and Khandsari sub-committee appointed by the Indian Central Sugarcane Committee have recommended the fixation

of a minimum standard quality of *gu* for each region and for each important *Mandi* for the sake of better marketing and grading ; and

(b) if so, whether such minimum standards have been fixed ?

The Minister of Food and Agriculture (Shri A. P. Jain) : (a) Yes.

(b) Not yet. The recommendation of the Gur and Khandsari Sub-Committee has been brought to the notice of the All-India Khadi and Village Industries Board, who are concerned with the development of the Gur Industry.

Directorate of Health Services

***824. Shri Rishaing Keishing** : Will the Minister of **Health** be pleased to state :

(a) whether it is a fact that in some Part C States, Directorate of Health Services is not in existence ;

(b) if so, the names of the States ;

(c) the reasons therefor ; and

(d) how the Health Services in those States are being managed ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) Yes.

(b) (i) Ajmer.
(ii) Coorg.
(iii) Kutch
(iv) Manipur.

(c) The work in these states did not justify the creation of a separate Directorat of Health Services.

(d) In these States, the administration of Health and Medical services are managed by the Civil Surgeon or the Chief Medical Officer.

Quarters For P. & T. Staff

***830. Shri Keshavaiengar** : Will the Minister of **Communications** be pleased to state :

(a) whether it is a fact that in some States the Central Public Works Departments have found it difficult to obtain suitable contractors fot the construction of houses and offices for the Posts and Telegraphs Employees in Madhya Bharat and other places ;

(b) whether the M. E. S. Authorities in such States are in a position to execute the work on behalf of the C. P. W. D. ?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) In remote localities where communications are difficult and labour is scarce, the C.P.W.D. have sometimes not been able to obtain competitive quotations from contractors. This applies to all works carried out by the C. P. W. D. at such places and not particularly to P. & T. works.

(b) In cases where C. P. W. D. authorities are unable to obtain competitive tenders, M. E. S. will be in no better position as they also call for tenders from the same source.

Post Cards

***831. Shri Kajrolkar** : Will the Minister of **Communications** be pleased to state whether it is a fact that Money Orders forms and Post Cards will be printed in Regional Languages in areas where Hindi is not the mother-tongue in order to enable the non- Hindi speaking people to fill the forms properly ?

The Deputy Minister of Communications (Shri Raj Bahadur): There is no intention to print Money Order forms or Post Cards in the regional languages.

Crimes on Railways

***832. Shri Ibrahim** : Will the Minister of **Railways** be pleased to state the number of thefts and robberies committed in trains in April, 1954 and in April, 1955 respectively ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) :

Goods and Passenger trains	April 1954	April 1955
Robberies	3	5
Thefts	446	425

Audit Report Railways

***833. Shri Gidwani** : Will the Minister of **Railways** be pleased to state :

(a) the total number of cases pointed by the Audit Department to the different Railways involving other payment of pay and allowances during the year 1953-54 ;

(b) the amount involved in these cases ; and

(c) the amount of over-payment since recovered from the official concerned ;

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) 2,884.

(b) Rs. 1,89,334/-.

(c) Rs. 74,448/-.

Pathankot—Madhopur Rail Link

*834. { **Shri Krishnacharya Joshi** : **Shri P. N. Rajabhoj** :

Will the Minister of **Railways** be pleased to state whether the construction of the Pathankot—Madhopur line has been completed ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): Not yet, Sir.

Sugarcane Price

*835. **Shri Jhulan Sinha** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether the resolution of the Indian Central Sugarcane Committee regarding sugarcane price adopted on the 26th February, 1955 at New Delhi has been considered by Government ; and

(b) if so, whether any decision has been taken regarding the fixation of sugarcane price for 1956-57 before the commencement of the sowing season of the Adsali cane ?

The Minister of Food and Agriculture (Shri A. P. Jain) : (a) Yes.

(b) Fixation of price before the sowing of the Adsali cane is considered neither feasible nor worthwhile.

Unemployment

*836. **Pandit D. N. Tiwary** : Will the Minister of **Labour** be pleased to state :

(a) whether it is a fact that the incidence of unemployment is the highest in Bihar ; and

(b) the name of the State where the disparity between the registration at and employment through the Employment Exchanges is the greatest ?

The Deputy Minister of Labour (Shri Abid Ali) : (a) No accurate information regarding the incidence of unemployment in different States is available.

(b) Mysore State

Sheep Husbandry

*837. **Shri Hem Raj** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether Government have formulated any scheme for the development of sheep husbandry ?

(b) if so, the main features of the scheme ; and

(c) the amount to be spent thereon ?

The Minister of Food and Agriculture (Shri A. P. Jain : (a) Yes.

(b) and (c). A statement is laid on the Table of the Sabha. [*See* Appendix V, annexure 51].

Ticketless Travelling

*838. **Shri N. Rachiah** : Will the Minister of **Railways** be pleased to state.

(a) whether it is a fact that Government have issued a directive to all Travelling Ticket Examiners in the Southern Railway (Mysore Region) that they should find out ticketless travellers every day, failing which they will be penalised; and

(b) if so, whether it is a general rule throughout the country ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) No such directive has been issued. The work of each Travelling Ticket Examiner on the Southern Railway is however, assessed periodically by a comparison with the average earnings of his Squad, and those who regularly fail to collect excess fares even upto 70 per cent or 80 per cent of their Squad average are suitably taken up with.

(b) Although there is no such general rule applicable overall railways. Railways have their own practical standards for judging the efficiency of the Ticket Checking staff.

Overbridges

*839. **Dr. Rama Rao** : Will the Minister of **Transport** be pleased to state :

(a) the number of overbridges at level crossings in Andhra for the construction of which loans have been sanctioned to local authorities ; and

(b) the amount sanctioned for each bridge ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) and (b). The Government of India have approved of the grant of a loan of Rs. 1·9 lakhs to the Guntur Municipality to meet their share of the cost of construction of an overbridge in place of the existing level crossing at mile 0/4 of the Guntur—Amaravati Road within Guntur Municipal limits. A request for increasing this loan to Rs 2·75 lakhs has been received and is under consideration. No loan has been approved for any other local authority in the State.

रेल दुर्घटना

*८४०. {श्री रघुनाथ सिंह : श्री आर० एस० तिवारी :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १४ जुलाई, १९५५ को ५-३० म० पू० पर हावड़ा को जाने वाली बम्बई मेल सेन्ट्रल रेलवे के जैतवार स्टेशन पर दुर्घटनाग्रस्त हुई, जिस के फलस्वरूप चार डिब्बे पटरी से उतर गये; और

(ख) यदि हां, तो दुर्घटना का कारण क्या था ?

रेलवे तथा परिवहन मंत्री के सभा सचिव (श्री शाहनवाज खां): (क) १४-७-१९५५ को शाम के लगभग ५ बज कर ३७ मिनट पर, जब नं० ५ डाउन कलकत्ता मेल मध्य रेलवे के जबलपुर-इलाहबाद सैक्शन पर जैतवार स्टेशन की लूप लाइन में दाखिल हो रही थी, मेन लाइन से लूप लाइन पर जाते समय इंजन से लगे हुए चार डिब्बे पटरी से उतर गये ।

(ख) बम्बई के रेलवे इंस्पैक्टर ने इस दुर्घटना की जांच की है । उन्हें अब तक की जांच से पता चला है कि कांटा नं० ४ के मोड़ (curve lead) पर पटरी में खराबी आ जाने के कारण डिब्बे लाइन से उतर गये ।

Oil Cakes

*841. **Th. Jugal Kishore Sinha** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) the annual production of oil cakes and their annual requirements for various purposes;

(b) the reasons for liberalising the export of Cotton seed oil-cakes; and

(c) its effect on internal demand ?

The Minister of Food and Agriculture (Shri A. P. Jain) : (a) The production of the five major oilcakes (*viz.* groundnut, rape and mustard, linseed, sesamum and castor cakes) during 1954-55 is estimated at about 24.3 lakh tons. Precise information regarding requirements for various prurposes is not available.

(b) The reasons are: (i) considerable increase in internal production of oilcakes and cottonseed in the last two years without corresponding expansion in effective demand leading to a downward trend in prices of oilseeds and oilcakes ; and (ii) to encourage cottonseed crushing in the country.

(c) Export of cottonseed cake (as also of all oilcakes) in the last few months does not seem to have had any adverse effect on the availability of cattle feeds for domestic consumption.

Telegraph Line in Assam

*842. **Shri K. P. Tripathi** : Will the Minister of **Communications** be pleased to state :

(a) whether it is a fact that there is only one telegraph line from Tezpur, Dhekiaguli, Mazbat and Tangla to Gauhati ;

(b) whether due to this, there is a great congestion on this line ; and

(c) if so, whether Government propose to provide an additional telegraph line there ?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) There are three lines ; Dhekiajuli, and Mazbat work on one circuit with five other stations and Gauhati and Tezpur having large traffic work on two other circuits. Tangla works Gauhati on a different line with other stations.

(b) There is some congestion but it will now be eased as a new circuit between Tezpur and Gauhati, has been provided.

(c) No.

Tuticorin Port

*843 {**Shri C. R. Narasimhan** : **Shri S. V. Ramaswamy** :

Will the Minister of **Transport** be pleased to state :

(a) whether it is a fact that proposals have been submitted by the Tuticorin Port Trust for the expansion of the Port into a deep-sea Harbour ;

(b) whether it is a also a fact that the Port Trust Board has expressed its readiness to bear the major portion of the financial responsibility and has sought Central aid for the balance :

(c) whether the State Government have made any representation in the matter ; and

(d) if so, the decision taken by the Central Government in the matter ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) The Government of Madras have included in their draft Second Five Year Plan a scheme for the development of the Port of Tuticorin into a 20 ft. deep harbour.

(b) and (c). The Government of India are informed that the manner of financing the scheme is under consideration by the State Government.

(d) The inclusion of the project in the Second Five Year Plan is under consideration by the Planning Commission.

Wagons Supply

***844. Shrimati Sucheta Kripalani** : Will the Minister of **Railways** be pleased to state :

(a) the total daily quota of wagons allotted to Nagpur Division for the transportation of bidi leaves to other States :

(b) whether it is a fact that Government have received representations for an increase in the quota as the present quota is totally insufficient to cope with the demand ; and

(c) if so, the action taken or proposed to be taken in the matter ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) A quota of three wagons per day for traffic in bidi leaves originating on the Nagpur Division of the Central Railways to any destination is at present in force.

(b) Yes.

(c) The commodity quota for movement of bidi leaves from Nagpur Division was increased from two to three wagons per day from July, 1955 onwards. In addition, *ad hoc* assistance is also given whenever possible with due regard to the overall requirements to be met.

Floods

***845. Shri Bhagwat Jha Azad** : Will the Minister of **Railways** be pleased to state :

(a) the number of cases in different States where railway lines have been washed away due to floods in 1955 so far ;

(b) the number of cases where lines have not yet been restored ; and

(c) whether there is any case where the railway tracks have been washed away completely ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) At 48 places on the Northern and 15 places on the North-Eastern Railways. State wise information is not available.

(b) At 4 places on the Northern and 4 on the North-Eastern Railways.

(c) No.

Military Cars

***846. Shri Gidwani** : Will the Minister of **Railways** be pleased to state :

(a) the expenditure incurred on the maintenance of Military cars during 1953-54 ; and

(b) the amount recovered from the Defence Organisation for the use of these cars during the same period ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Not available as no separate account is kept.

(b) Rs. 3.24 lakhs approximately as 'on account" payment for interest, depreciation and maintenance. The accounts have however not been finalised.

स्वास्थ्य योजनायें

***८४७. श्री कृष्णाचार्य जोशी** : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) पंचवर्षीय योजना के अन्तर्गत स्वास्थ्य सेवाओं के विकास के लिये निर्धारित निधियों में से आज तक कुल कितनी राशि व्यय हुई; और

(ख) सम्पूर्ण निधि का उपयोग न करने के क्या कारण हैं ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर) : (क) इस बारे में जितनी जानकारी सितम्बर १९५४ तक प्राप्त थी, वह योजना कमीशन द्वारा प्रकाशित पंचवर्षीय योजना की अप्रैल-सितम्बर, १९५४ की प्रोग्रैस रिपोर्ट में दी हुई है ।

(ख) अभी यह बताना कठिन है कि योजना अवधि के अन्त में कुछ निधि ऐसी भी होगी जिस का उपयोग न किया जा सके, और उस के कारण ।

Train Punctuality

*848. **Pandit D. N. Tiwary :** Will the Minister of **Railways** be pleased to state :

(a) whether Government are aware that the time table on the North Eastern Railway introduced from the 1st April, 1955 was framed in such a way that very few trains between Katihar to Gorakhpur and *vice versa* could run to correct timing from April to June;

(b) whether the trains to Pahleza Ghat could never observe correct timings ; and

(c) if so, the action proposed to be taken in the matter ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) to (c). A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 52.].

रेल दुर्घटना

*८४९. **श्री रघुनाथ सिंह** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २७ जुलाई, १९५५ को जिस समय टाटा लोहा और इस्पात कारखाना, जमशेदपुर में कोयले के वैगन शंट किये जा रहे थे, तब सात मजदूर वैगनों के नीचे कुचल गये थे; और

(ख) यदि हां, तो दुर्घटना का ब्यौरा क्या है ?

रेलवे तथा परिवाहन मंत्री के सभासचिव (श्री शाहनवाज खां) : (क) तथा (ख). यह दुर्घटना टाटा आयरन एण्ड स्टील कम्पनी की अपनी साइडिंग में हुई जहां कम्पनी की जिम्मेदारी पर काम होता है । रेलवे से इस का कोई सम्बन्ध नहीं है ।

Amraoti and Nagarjuna Konda

*850. **Dr. Rama Rao :** Will the Minister of Transport be pleased to refer to the reply given to Starred Question No. 105 on the 26th July, 1955 and state:

(a) whether Government are aware that Nagarjuna Konda has the relics of the Buddhist University and was the headquarters of the great Buddhist scholar Nagarjuna, and exponent of Mahayana school of Buddhism ; and

(b) if so, why these famous Buddhist University Centres at Amraoti and Nagarjuna Konda in Guntur District (Andhra) have not been included for development as places of Tourist Traffic ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) The scheme for development of important places of Buddhist pilgrimage placed on the table of the Sabha in reply to Starred Question No. 105, covers only those works which are important particularly in view of the 2500th Buddha Jayanti falling in 1956 and which are expected to be completed during the current financial year. It is by no means exhaustive and it is possible that some more places of Buddhist interest may be included in the Second Five Year Plan.

I. C. A. R. Milk Supply Scheme

*851. **Shri Jhulan Sinha :** Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether it is a fact that the control and management of the Delhi Milk Supply Scheme has been transferred from the Indian Council of Agricultural Research to some outside agency :

(b) if so, the terms and conditions of the transfer ; and

(c) the nature of over-all control and responsibility still resting with Government in this respect ?

The Minister of Food and Agriculture (Shri A. P. Jain) (a) Yes.

(b) A statement is placed on the Table of the Sabha. [*See* Appendix V, annexure No. 53].

(c) No over-all control or responsibility now rests with the Government of India.

गंगा पुल योजना म आग का लगना

*३६२. **श्री एस० एन० दास** : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अप्रैल, १९५५ में गंगा पुल योजना की शिव जेटी में आग लग जाने के कारण डेढ़ लाख रुपये की क्षत्ति हुई थी;

(ख) यदि हां तो उस का कारण क्या था;

(ग) क्या इस दुर्घटना के बारे में कोई जांच की गई है; और

(घ) यदि हां, तो उस का क्या परिणाम निकला ?

रेलवे तथा परिवाहन मंत्री के सभा सचिव (श्री शाहनवाज खां) : (क) जी नहीं । आग मे १२,००० रुपये के नुकसान होने का अनुमान है ।

(ख) आउट बोर्ड मोटर इंजन की पैट्रोल-टंकी में पैट्रोल भरते समय कुछ पैट्रोल जमीन पर गिर गया और उस में हैण्ड सिगनल लैम्प से आग लग गयी जो पास ही जल रहा था ।

(ग) जी हां ।

(घ) इस घटना के लिये कमेटी ने कुछ कर्मचारियों को जिम्मेदार ठहराया । उन के खिलाफ विभागीय कार्यवाही की जा रही है ।

Air Routes

*401. **Shri S. N. Das** : Will the Minister of **Communications** be pleased to state the names of the routes deferred for want of sufficient air passengers for Dakota aircraft, till the arrival of 14 Seater Heron aircraft ?

The Deputy Minister of Communications (Shri Raj Bahadur): I lay a statement giving the required information on the Table of the Lok Sabha. [See Appendix V, annexure, No. 54].

रेल दुर्घटना

३८२. **श्री रघुनाथ सिंह** : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ३० मई, १९५५ को उत्तर रेलवे की चुनार-चुर्क लाईन पर चुर्क रेलवे स्टेशन के शंटिंग यार्ड में एक रेलवे इंजन उलट गया था;

(ख) यदि हां, तो दुर्घटना का ब्यौरा क्या है; और

(ग) जांच के फलस्वरूप क्या कार्यवाही की गई है ?

रेलवे तथा परिवाहन उपमंत्री (श्री अलगेशन): (क) से (ग). ३०-५-१९५५ को रात के लगभग ९ बजे चुर्क सीमेंट फैक्टरी का एक इंजन कांटा नं० टी २४ पर पटरी से उतर गया । चुर्क स्टेशन पर इसी कांटे से सीमेंट फैक्टरी साइडिंग के लिये लाइन जाती है ।

इंजन के पटरी से उतर जाने के कारण यह था कि पाइंट्समैन ने कांटे गलत लगा दिये थे । यह पाइन्ट्समैन सीमेंट फैक्टरी का कर्मचारी है । इस साइडिंग का काम, जिस में कांटे लगाने का काम भी शामिल है, सीमेंट फैक्टरी के हाथ में है ।

उत्तर रेलव की ओर से इस घटना की कोई जांच नहीं की गयी ।

Transport Study Group

383. **Shri Anirudha Sinha** : Will the Minister of **Transport** be pleased to refer to the reply given to Starred Question No. 1316 on the 22nd March, 1955 and state :

(a) whether the Study Group on Transport Planning has submitted its report ;

(b) if so, the main features of the report; and

(c) the action proposed to be taken thereon ?

The Deputy Minister of Railways, and Transport (Shri Alagesan): (a). The Study Group have submitted their report on two of the four items of their terms of reference.

(b) A summary of the recommendations of the Group is contained in Chapter XVII of the report, copies of which are available in the Parliament Library.

(c) The recommendations will be taken into consideration in planning for the future.

Railway Lines

384. Shri Kamath : Will the Minister of **Railways** be pleased to state whether Government propose to lay a railway line from Sagar to Kareli, a distance of 75 miles, as a developmental scheme for Northern Madhya Pradesh during the Second Five Year Plan?

The Deputy Minister of Railways and Transport (Shri Alagesan): No decision in regard to new railway lines, the construction of which would be taken up during the Second Five Year Plan period, has so far been taken.

Narmada Bridge

385. Shri Kamath : Will the Minister of **Transport** be pleased to refer to the statement laid in reply to Starred Question No. 1047 on the 10th December, 1954 and state :

(a) whether a decision with regard to the construction of a combined Road-Railway bridge on the Narmada at Burman (Brahmand) in Narsinghpur Sub-division (Hoshangabad District) of Madhya Pradesh has since been taken; and

(b) if so, when the work of construction will commence?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a). There is no railway line crossing the Narmada near Barman. There is therefore no question of constructing a road-rail bridge at Barman. The work of constructing a road bridge over the Narmada at Barman on Saugor-Narsinghpur Road National Highway No. 26 is included in the current five-year plan.

(b) Preliminary investigations connected with the road bridge have been completed and a design is under preparation. The construction work is expected to start next year.

Domestic Servants Association

386. Shri Radha Raman : Will the Minister of **Labour** be pleased to state:

(a) whether Government have taken any steps to give employment to the members of *ex*-Domestic Servant's Association;

(b) if so, how many persons have been given employment during 1954 and 1955 so far; and

(c) how many are still unemployed?

The Deputy Minister of Labour (Shri Abid Ali): (a) to (c): The Employment Exchanges register and place in employment domestic servants but how many of them belong to the *Ex*-Domestic Servants Association is not known. During 1954, 13,640 applicants for domestic service were placed in employment by the Employment Exchanges. During January-June 1955, 8,304 registrants were placed in domestic employment. At the end of June 1955, 20,215 remained on the Live Registers.

Tourist Traffic

387. Shri D. C. Sharma : Will the Minister of **Transport** be pleased to state the number of foreign tourists who visited the Taj Mahal at Agra during 1953 and 1954?

The Deputy Minister of Railways and Transport (Shri Alagesan): It is estimated that about 7000 and 8300 foreign tourists visited the Taj Mahal during the years 1953 and 1954, respectively.

Grow More Food Schemes

388. Shri D. C. Sharma : Will the Minister of **Food and Agriculture** be pleased to lay a statement on the Table of the House showing :

(a) the number of minor irrigation schemes sanctioned during 1954-55 under the "Grow More Food" campaign; and

(b) the number of such schemes agreed to so far during 1955-56?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). A statement is appended. [*See* Appendix V, annexure No. 55].

Railway Staff Quarters

389. Shri D. C. Sharma : Will the Minister of **Railways** be pleased to state the progress made in regard to

the construction of staff quarters on the Northern Railway out of the funds allotted during 1954-55?

The Deputy Minister of Railways and Transport (Shri Alagesan): The finally sanctioned amount i.e. Rs. 77·5 lakhs was duly spent in full during the financial year 1954-55.

Locomotives

390. Shri S. N. Das : Will the Minister of **Railways** be pleased to state:

(a) the cost of production of the first locomotive in the Chittaranjan Locomotive Works; and

(b) the cost of production of the last locomotive produced there so far?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a). Rs. 7·13 lakhs.

(b)* Rs. 4·81 lakhs.

The figures given against (a) and (b) include all charges pertaining to Chittaranjan Locomotive Works, Chittaranjan Colony and staff amenities provided. They however, do not include the interest charges on the capital outlay.

Delhi Road Transport Service

391 Shri S. C. Samanta : Will the Minister of **Transport** be pleased to state :

(a) whether students reading in different schools and colleges in Delhi and New Delhi are given any concession for travelling in Delhi Transport Service buses; and

(b) whether Government propose to allow such concessions to teachers for travelling in D.T.S. buses on the lines as is given in Railways?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) No.

Sindri Fertilizer

392. Shri Ibrahim : Will the Minister of **Food and Agriculture** be pleased to state the rate at which the fertilizers produced in the Sindri fertilizers Factory are made available to cultivators in Bihar?

The Minister of Food and Agriculture (Shri A.P. Jain): The entire production from Sindri is taken over by Government and put in the Pool along with ammonium sulphate taken from other sources in the country and also imported from abroad. The price at which the pool sulphate sold is Rs. 345/- per ton.

Tractors

393. Shri Ibrahim : Will the Minister of **Food and Agriculure** be pleased to state :

(a) the number and value of heavy and small size tractors to be imported during 1955-56; and

(b) how many of them will be allotted to Bihar?

The Minister of Food and Agriculture (Shri A. P. Jain):(a) and (b). Government of India have at present no scheme to import agricultural tractors for distribution to the State Governments. The question of allotment of agricultural tractors to Bihar, therefore, does not arise.

Flying and Gliding Clubs

394. Shri Ibrahim : Will the Minister of **Communications** be pleased to state the number of pilots of different categories proposed to be trained through the Flying and Gliding Clubs during the year 1955-56?

The Deputy Minister of Communications (Shri Raj Bahadur): As a result of the acceptance by the Government of India of Master Committee, (Committee on Training of Civil Air Pilots) recommendations, training of commercial pilots at the Flying Clubs has been discontinued. In order, however, to prevent hardship to trainees who were already under training for commercial Pilot's licence and had reached a sufficiently advanced rtage of their training. It was decided to permit such of them as had completed certain specified number of hours of fiying on a specified date to complete their training. It is expected that about 50 such trainees will secure 'B' pilots' licences during the year 1955-56.

The estimates of the number of other pilots who may secure licences or certificates during 1955-56 are as follows:—

'A' pilots (Flying) . .	240
'A' pilots (Gliding) .	60
'B' pilots (Gliding) . .	60
'C' pilots (Gilding) . .	25

Observatories

395. Shri Ibrahim : Will the Minister of **Communications** be pleased to state how many weather Research Obervatories are there in the Andaman and Nicobar Islands and at what places?

The Deputy Minister of Communications (Shri Raj Bahadur) : There are

*See note below cols. 3785 and 3786.

six meteorological observatories in the Andaman and Nicobar Islands. These are located at the following places:—

(1) Maya Bandar
(2) Long Island
(3) Port Blair
(4) Car Nicobar
(5) Nan Cowire
(6) Kondul.

केन्द्रीय गवेषणा संस्था, कसौली

३९६. **डा० सत्यवादी** : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) १९४७–१९५४ में केन्द्रीय गवेषणा संस्था, कसौली में कितने बीमार व्यक्तियों को इंजैक्शन दिये गये, और इन इंजैक्शनों के लिये क्या राशि ली गई;

(ख) संस्था की डिस्पैन्सरी में पिछले सात वर्षों में प्रत्येक वर्ष कितने जानवरों का इलाज किया गया;

(ग) १९४७ से जुलाई, १९५४ और जुलाई, १९५४ से ३१ मार्च, १९५५ तक के काल में संस्था के भंडार से डिस्पैन्सरी को कितने मूल्य की दवायें दी गई; और

(घ) पिछले वर्ष सैनिक अस्पताल और छावनी सामान्य अस्पताल को कितने मूल्य की दवायें दी गई और उन दोनों केन्द्रों में अलग अलग कितने कर्मचारियों का इलाज किया गया ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर) : (क) आवश्यक सूचना नीचे दी जा रही है :

वर्ष	इलाज किये गये रोगियों की संख्या	नैक्सीन की रोगियों से प्राप्त कीमत। रु०	आ०	पा०
१९४७	७४	२६३	२	•
१९४८	६३	२४९	१४	•
१९४९	५८	२११	६	•
१९५०	९४	३८७	११	•
१९५१	६२	२५१	५	•
१९५२	१४९	७७२	१	•
१९५३	११६	८५३	७	६
१९५४	८०	६८५	११	•

(ख) डिस्पैन्सरी में इलाज किये गये जानवरों का रिकार्ड नहीं रक्खा जाता है। सिवाय घोड़ों के जिन के सम्बन्ध में मांगी गई पिछले सात वर्षों की सूचना इस प्रकार है :

वर्ष	इलाज किये गये घोड़ों की संख्या
१९४८	२१
१९४९	२८
१९५०	२९
१९५१	३०
१९५२	३२
१९५३	३३
१९५४	३३

(ग) सूचना एकत्रित की जा रही है और मिलने पर सभा की मेज पर रख दी जायेगी।

(घ) गत वर्ष संस्था द्वारा दोनों अस्पतालों में से किसी को भी दवायें नहीं दी गईं अतः उन के मूल्य का प्रश्न ही नहीं उठता। इन दोनों अस्पतालों में संस्था के जिन कर्मचारियों का इलाज किया गया उन की संख्या के बारे में अलग से कोई रिकार्ड प्राप्त नहीं है।

तपैदिक के अस्पताल

३९७. **डा० सत्यवादी** : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि केन्द्रीय सरकार से आर्थिक सहायता पाने वाले तपैदिक के अस्पतालों में विस्थापित व्यक्तियों और हरिजनों की निःशुल्क चिकित्सा के लिये कितने बिस्तरों की व्यवस्था है ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर) : भारत सरकार से आर्थिक सहायता पाने वाले विभिन्न टी० बी० अस्पतालों और सैनीटोरियम में विस्थापित व्यक्तियों में से असहाय क्षय रोगियों व हरिजनों के मुफ्त इलाज के लिये ६८१ बिस्तर सुरक्षित रक्खे गये हैं।

Delhi Transport Service

398. **Shri Jhulan Sinha** : Will the Minister of **Transport** be pleased to state the imporvement effected in the running of the Delhi Transport Service buses in so far as punctuality is concerned ?

The Deputy Minister of Railways and Transport (Shr Alagesan) : The

punctuality of the services operated by the Delhi Road Transport Authority has improved from 82·6 % in July 1954 to 87·4 % in July 955.

Gur and Khandsari

399. Shri Jhulan Sinha : Will the Minister of **Food and Agriculture** be pleased to state the present position regarding the grant of priority by the Railways to the movement of *Gur* and *Khand sari*— as compared with Sugar ?

The Minister of Food and Agriculture (Shri A.P. Jain): Movement of sugar released from factories is sponsored in priority class 'C' of the Schedule for Preferential Traffic. *Gur* and *Khandsari* are moved in Class 'E'. The Railway Board have not been able to accord higher priority to the movement of *Gur* or *Khandsari*, partly for the reason that this would adversely affect the movement of other essential commodities and partly because it was not possible to have any planned movement of these commodities. The daily quota of wagons on different railways for movement of *gur* and *Khandsari* was, however, enhanced from January, 1955. Efforts continue to be made to expedite movement of Gur as much as possible.

Passenger Traffic

400. Shri A.K. Gopalan : Will the Minister of **Railways** be pleased to state:

(a) the daily average number of Third Class passengers who have travelled by Malabar Express beyond Olavakot from Madras Central Station in May, June and July 1955;

(b) the average daily provision of seats in this train; and

(c) if the accommodation provided in this tran is inadequate, the action taken to improve the position?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a). The information is being collected and will be placed on the Table of the House in due course.

(b) 338.

(c) During the rush periods an additional bogie is attached to this train.

Passenger Traffic

401. Shri A.K. Gopalan : Will the Minister of **Railways** be pleased to state:

(a) the average daily Third class tickets issued from Bombay Victoria Terminus to stations beyond Olavakot (Malabar District/Southern Railway) during May, June, and July 1955; and

(b) whether accommodation in trains has been adequate to cope with the rush?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) 75.

(b) The accommodation provided is generally adequate except on occasions of heavy rush when accommodation for the extra passengers is provided in other than the through coach.

Food Consumption

402. Shri V.P. Nayar : Will the Minister of **Food and Agriculture** be pleased to state :

(a) the value (in terms of calories) of food consumed daily *per capita* as estimated for the years 1952-53 and 1954-55; and

(b) how much of the increase is attributable to increase in the intake of (i) cereae, (ii) pulses, and (iii) food of animal origin ?

The Minister of Food and Agriculture (Shri A.P. Jain) : (a) and (b). The available information is given below :—

Per Capita *Availability of Food*

	In Calories		Increase in 1953-54 over 1952-53.	
	1952-53	1953-54	Actual (in Calories)	Percentage
Cereals	1157	1276	119	(+) 10.3
Pulses and gram	179	194	15	(+) 8.4
Food of animal origin (Meat, Fish, Eggs and Milk)	158	161	3	(+) 1.9
Others (Root vegetables, vegetable oils, fruits and nuts and sugar and Jaggery).	221	221	—	—
TOTAL :	1,715	1,852	137	(+) 8.3

Note : Data for 1954-55 is not yet available.

पर्यटक सूचना कार्यालय

४०३. **श्री भक्त दर्शन** : क्या **परिवहन** मंत्री १२ अप्रैल, १९५५ को दिये गये तारांकित प्रश्न संख्या २१८३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि १३ वर्तमान कार्यालयों के अतिरिक्त निकट भविष्य में किन किन स्थानों पर नये पर्यटक सूचना कार्यालय खोलने का विचार है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : वर्तमान वित्तीय वर्ष के अन्तर्गत भुवनेश्वर (उड़ीसा) में एक पर्यटक सूचना कार्यालय खोले जाने का विचार है ।

अन्तरिक्ष शास्त्रीय वेधशालायें

४०४. **श्री भक्त दर्शन** : क्या **संचार** मंत्री २५ अप्रैल, १९५५ को दिये गये अतारांकित प्रश्न संख्या ९९९ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) काश्मीर से आसाम तक फैले हुए हिमलय के पहाड़ी प्रदेश में किन किन राज्यों के किन किन स्थानों पर खोली गई ७३ अन्तरिक्ष शास्त्रीय वेधशालायें काम कर रही हैं; और

(ख) इन वेधशालाओं के अग्रेतर विकास के लिये क्या कदम उठाये जा रहे हैं ?

संचार उपमंत्री (श्री राज बहादुर) (क) उन स्थानों के नाम तथा राज्यों के नाम, जिनमें ७३ घनवातिकी अवलोकनालय हिमालय के पर्वतीय प्रदेशों में काम कर रहे हैं, निम्नांकित हैं :—

(१) **काश्मीर**

(१) गुलमर्ग
(२) पटनीटाप
(३) सोनमर्ग
(४) गुरेज
(५) ड्राफ
(६) करगिल
(७) लेह
(८) श्री नगर*
(९) श्रीनगर (चालक वागोल अवलोकनालय)

(२) **नेपाल**

(१०) भोजपुर
(११) अंगबुंग
(१२) धानकुटा
(१३) इमुहन
(१४) लुंगथुंग
(१५) मेंमंग जगत
(१६) पलुट
(१७) टापकेथाक
(१८) टापलेजंग
(१९) बालंगचुंगगोला
(२०) चैनपुर
(२१) मछआघाट
(२२) मुंगा
(२३) चौड़ीखरका
(२४) कुरलेघाट
(२५) नामची बाजार
(२६) अइसइआलूखरका
(२७) ओखलडंगा
(२८) पेकरनाम
(२९) फाफलू
(३०) मानेभंजयंग
(३१) चौतरा
(३२) घूलीसेल
(३३) दोलालघाट
(३४) घूमथंग

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*श्री नगर में दो अवलोकनालय हैं । एक आई० ए० एफ० द्वारा पुष्टित चालक वागोल अवलोकनालय तथा दूसरा भारतीय घनवातिकी विभाग के कर्मचारियों द्वारा पुष्ठित तल अवलोकनालय ।

(३५) मनदन
(३६) नेपालथोक
(३७) रामेछप
(३८) त्रिवेणी
(३९) चत्रा
(४०) बाराहक्षेत्र
(४१) विराटनगर
(४२) संदकफू
(४३) शिरहा
(४४) टोंगलू
(४५) धरनबाजार
(४६) काठमांडू†
(४७) काठमांडू (उद्घनवातिकी अवलोकनालय)

(३) पंजाब
(४८) धरमशाला
(४९) शिमला
(५०) धरमपुर
(५१) किलोंग
(५२) कोठी
(५३) कोकसार
(५४) गोंडला

(४) उत्तर प्रदेश
(५५) मंसूरी
(५६) नैनीताल
(५७) मुक्तेश्वर
(५८) बद्रीनाथ
(५९) तपोबन
(६०) खरशाली
(६१) राणा
(६२) जमुना चेटी
(६३) लोकपाल

(५) हिमाचल प्रदेश
(६४) डलहौजी
(६५) मंडी
(६६) चूम्बी
(६७) शांटसे
(६८) लासा

(७) पश्चिम बंगाल
(६९) दारजिलिंग
(७०) कालिमेपोंग

(८) सिक्किम
(७१) चुंबथंग
(७२) थंगू
(७३) लाचेन

(ख) इन में से बहुत से अवलोकनालय साधारण यंत्रों से सज्जित हैं जैसे वायुभार-मापक-यंत्र, तापमापक-यंत्र, वर्षा आमान अथवा हिम-आमान, और वायु की गति तथा दिशा मापने के लिये वायुगति-मापक एवं वायुफलक आदि। नेपाल के कोसी जलग्रह क्षेत्र के विभिन्न भागों में वर्षा की तीव्रता के सम्बन्ध में पर्याप्त सूचना एकत्रित करने के लिये स्वअभिलेखक वर्षाआमान यंत्रों की स्थापना द्वारा निम्न अवलोकनालयों को विकसित करने का प्रस्ताव है।

फाफलू	टापके थाक
वालंगचुंगगोला	अंगबुंग
नामची-बाजार	चौतरा
धुमथंग	चैनपुर

कुछ अवलोकनालयों में उद्वष्पमान यंत्र और उद्धविन्दुरेख यंत्र लगाये जायेंगे जिस से उन के द्वारा जलग्रह क्षेत्र के अवशिष्ट जल को आंकने के लिये आवश्यक अतिरिक्त सूचना प्राप्त की जा सके।

†काठमांडू में दो अवलोकनालय हैं। एक घनवातिकी तथा दूसरा उद्घनवाति प्रयोजन के लिये।

Catering

405. Shri S. C. Samanta : Will the Minister of **Railways** be pleased to state:

(a) The number of Stations on the Eastern Railways for which applications for tea and light refreshments and fruit-vending have been invited;

(b) the considerations to be taken into account for giving these contracts; and

(c) whether the preference will be given to local people having the requisite experience?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) (*i*) For tea stalls and platform vending 51

(*ii*) For fuit stalls . 1

(*iii*) For combined refreshment rooms and platform vending contracts . 13

(b) and (c). At large stations such contracts are normally given to suitable professional and experienced caterers of good standing. At small stations, these are normally awarded to local professional men, including experienced refugee caterers or vendors settled in the area.

Meteorological Stations

406. Shri S.C. Samanta : Will the Minister of **Communications** be pleased to state :

(a) how far the meteorological stations in the Andaman and Nicobar Islands have been helpful in the forecasting of weather in the Bay of Bengal and the Eastern Coast of India;

(b) whether the meteorological stations in the Islands are mutually helping each other in the supply of information as regards weather forecast to farmers; and

(c) the number of persons working in those Stations and what are their pay and scales?

The Deputy Minister of Communications (Shri Raj Bahadur) (a) As the meteorological observatories in the Andaman and Nicobar Islands are situated centrally in the Bay of Bengal, the observational data of these observatories often give the first indication of the formation of cyclonic storms in the Bay of Bengal and the Andaman Sea and are thus of considerable help in forecasting, particularly in the issue of warnings of cyclonic storms, to Shipping, Ports, Aviation and to the general public.

(b) Weather bulletins for farmers have not yet been instituted in respect of the Andaman and Nicobar Islands. But the data of observations received from these observatories are found to be of great help in the day-to-day weather forecasting work for all interests including the farmers in the Eastern coastal region of the mainland.

(c) The observatory at Port Blair is manned by whole-time staff of the India Meteorological Department consisting of:

1 Professional Assistant
2 Scientific Assistants
3 Senior Observers
3 Observatory Attendants
1 Night Watchman.

The details of the scales of pay and allowances drawn by the above staff at port Blair are given in the statement attached. [*See* Appendix V, annexure No.56]. The other observatories, *viz.*, those at Maya Bandar, Long Island, Car Nicobar, Nan Cowrie and Kondul are each manned by two part-time Observers, borne on the establishment of the Police Department of the local Government on an allowance of Rs. 29/- p.m. per observatory. They draw their own substantive pay and allowances from their parent department.

Work on Railways

407. Shri Matthen : Will the Minister of **Railways** be pleased to state the steps taken to solve the following practical problems on Railways:—

(*i*) shortage of office accommodation;

(*ii*) improvement in working conditions in offices by providing air-conditioning plants and water-coolers;

(*iii*) modernizing work in offices by providing labour saving machines, like Comptometer, Card Index machines tc; and

(iii) shortage of staff which makes it very difficult for the employees to avail themselves of the leave earned by them?

The Deputy Minister of Railways and Transport (Shri Alagesan): (i) Extra accommodation wherever necessary is provided either by extension to existing offices, construction of new offices or by renting of non-railway premises.

(ii) According to the policy of the Railway Board, rooms of the General Managers' office, hospitals, civil and mechanical drawing offices, office rooms of Heads and Dy. Heads of Departments, service buildings such as wireless stations, Central Offices, Automatic Telephone Exchanges etc. are to be air-conditioned on a programme basis.

Electric Water Coolers are provided in workshops and other units governed by the Factories Act employing more than 250 workmen. They are also provided in large offices such as General Headquarters, Divisional & Regional Offices but these are undertaken on a programme basis spread over a suitable number of years.

(iii) Such machines are used wherever these can be utilised usefully.

(iv) Adequate leave reserves are provided by the Railways and earned leave is rarely refused.

हड़तालें

४०८. **सेठ गोविन्द दास** : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि मई, १९५५ में अमृतसर की कपड़ा मिलों में हड़ताल के कारण कितने काम के घंटों की क्षति हुई ?

श्रम उपमंत्री (श्री आबिद अली) : केन्द्रीय सरकार के पास अपेक्षित जानकारी प्राप्त नहीं है। इस विषय के लिये राज्य सरकार जिम्मेवार है ।

Tractors

409. Shri G.P. Sinha : Will the Minister of **Food and Agriculture** be pleased to state :

(a) the number of tractors imported so far during the year 1955 for agricultural purposes; and

(b) the names of the countries from which they have been imported?

The Minister of Food and Agriculture (Shri A.P. Jain): (a) and (b). The number of agricultural tractors and the names of the countries from which they were imported, during the period January-June 1955, are as follows:—

S. No.	Names of countries	No. of tractors
1.	United Kingdom	1,017
2.	U.S.A.	201
3.	Germany	199
4.	Italy	2
5.	Canada	7
6.	Czechoslovakia	41
7.	Russia	2
	TOTAL	1,469

Dacoity on Railways

410. Chaudhri Muhammed Shafi e Will the Minister of **Railways** be pleased to state :

(a) whether it is a fact that the Jalalpur-Mandva flag station near Dhola Junction on the Western Railway was raided by dacoits in May, 1955;

(b) if so, the total loss involved in the dacoity; and

(c) whether the dacoits have been arrested and punished?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) A watch and Rs. 22/- in cash belonging to the Clerk-in-Charge on duty.

(c) Not yet.

Civil Hospitals

411. Shri Radha Raman : Will the Minister of **Health** be pleased to state :

(a) the number of civil hospitals opened throughout the county during 1954-55; and

(b) the number of such hospitals proposed to be opened in the years 1955-56 and 1956-57 and the names of the States where they will be opened?

The Deputy Minister of Health (Shrimati Chandrasekhar) Information is being collected and will, when available, be laid on the Table of the Sabha.

Railway Earnings

412. Shri B.C. Das : Will the Minister of **Railways** be pleased to state :

(a) the extra expenditure incurred by the Railways to provide special facilities for (i) the All India Congress Committee meeting held at Berhampur (Ganjam) in the second week of May, 1955 (ii) Sarvodaya Conference held at Puri in March, 1955 (iii) the All India Primary Teachers' Conference held at Puri in March, 1955 (iv) the recent Rathayatra festival at Puri ; and

(b) the number of inward and outward passengers on each of the occasions ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Particulars of the extra expenditure incurred are given below :

(*i*) All India Congress Committee at Berhampur. Rs. 22,463/4 -

(*ii*) Sarvodaya Conference at Puri. Rs. 4,169/6/-

(*iii*) All India Primary Teachers Conference at Puri. Rs. 652/4/-

(*iv*) Rathayatra Festival at Puri. Rs. 5,449/4/-

(b) It is regretted that no reliable figures are available separately for each of these occasions.

Aurang Nagar Railway Station

413. Sardar Iqbal Singh : Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Government propose to shift Aurang Nagar station to Malikpur on the Northern Railway; and

(b) if so, the reasons therefor ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Aurang Nagar Train halt has already been shifted on 31-5-55 from mile 68/5 to mile 69/18.

(b) The inhabitants of Malikpur and surrounding villages proposed the shifting of the Train halt. Investigation into the poroposal revealed that the old site of the halt had become sparsely populated after the partition. Also, the proposal was recommended by the local civil authorities.

Employment Exchange at Agra

414. Seth Achal Singh : Will the Minister of **Labour** be pleased to state:

(a) the number of men registered at the Agra Employment Exchange during the year 1954-55;

(b) the number of them provided with employment;

(c) whether it is a fact that persons who had been registered years before are not being provided with employment, whereas those registered afterwards are considered for employment; and

(d) the estimated annual expenditure on the Agra Employment Exchange ?

The Deputy Minister of Labour (Shri Abid Ali): (a) 28,192.

(b) 2,135.

(c) Qualifications being equal, those who are registered earlier are submitted first, when, however, those who have registered early do not possess the required qualifications, others who have come after them have to be submitted in compliance with the employers' requirements.

(d) The expenditure during 1954-55 was Rs. 64,500/-.

Rise in Food Prices in Bihar

415. Pandit D.N. Tiwary : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether it is a fact that there has been steep rise in the prices of food-grains in Bihar and specially in North Bihar since June, 1955;

(b) if so, the reason therefor; and

(c) steps taken by Government in the matter ?

The Minister of Food and Agriculture (Shri A.P. Jain) : (a) No Sir. There has not been any steep rise in prices of food-grains in Bihar, though there has been the usual seasonal hardening of prices.

(b) and (c). Do not arise.

Railway School, Lallaguda

416. Shri P. Ramaswamy : Will the Minister of **Railways** be pleased to state:

(a) the progress made so far in regard to the construction of a *pucca* building for the Railway High School at Lallaguda, Secunderabad; and

(b) when the building will be ready?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). It is the intention to convert a number of buildings occupied by the Grain-shop Depot, which are now surplus, for use by the Railway School, after carrying out additions and alterations. Plans for conversion of the buildings in question into a permanent school building have been finalised. This work is being included in the Works Programme 1956-57 for commencement and completion in that year.

रेलों का देरी से चलना

४१७. **श्री अनिरुद्ध सिंह** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) १ अप्रैल से ३०जून, १९५५ तक की कालावधि में कितनी बार ३६२/४०० डाउन ट्रेन समस्तीपुर रेलवे स्टेशन पर इलाहबाद पैसेन्जर से मिलान नहीं कर सकी; और

(ख) स्थिति को सुधारने के लिये क्या कार्यवाही की गई ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) तेईस

शायद मतलब ३६२/४४० से है न कि ३६२।४०० से ।

(ख) समस्तीपुर में गाड़ियों के मेल न होने की जो शिकायत है उसे दूर करने के लिये जरूरी कार्यवाही की गई है । गाड़ियों में मेल न होने का मुख्य कारण यह था कि गाड़ी नं ३६२/४४० लेट चला करती थी । इस गाड़ी की चाल में सुधार किया गया जिस से मई और जून, १९५५ में हालत कुछ सुधरी, लेकिन जुलाई, १९५५ में पूर्वोत्तर रेलवे म कई जगह लाइन टूट जाने के कारण हालत कुछ बिगड़ गयी । आशा है जब गाड़ियां सामान्य रूप से चलने लगेंगी, तो हालत बहुत कुछ सुधर जायेगी ।

Employment Exchange, Khargpur

418. Shri Subodh Hasda : Will the Minister of **Labour** be pleased to state :

(a) the total number of Scheduled Tribes candidates registered at the Khargpur Employment Exchange, West Bengal, in the year 1954-55; and

(b) the number of the registered candidates who have been provided with employment in the Khargpur Railway Workshop during the above period?

The Deputy Minister of Labour (Shri Abid Ali): (a) 804.

(b) 1.

Railway Land

419. Pandit D.N. Tiwary : Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 1708 on the 30th March, 1955 and state :

(a) whether the land near Dighwara Railway Station was leased out to any private party before being handed over to State Government ;

(b) if so, to whom, or how many years and at what rental; and

(c) whether it is a fact that a large amount is still outstanding with one of the lessees?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) Prior to its handing over to the State Government in July, 1946, the land remained with two persons *viz.*, Shri Ram Vinod Singh for a year at a rental of Rs. 8/8/- per acre per annum and Shri Rama Nand Rai for 2 years at the same rate.

(c) No, Sir.

Agartala-Simna Road

420. Shri Biren Dutt : Will the Minister of **Transport** be pleased to refer to the reply given to Unstarred Question No. 564 on the 4th April, 1955 and state:

(a) whether the work of metalling the surface of the Agartala-Simna road in Tripura has begun ; and

(b) if so, how long it will take to be completed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The work is expected to be commenced in September 1955 and completed by March 1958.

एक्सप्रेस रेल

४२१. **श्री के० सी० सोधिया** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार बीना कटनी होते हुए अहमदाबाद से बिलासपुर को एक एक्सप्रेस रेल चलाने का विचार करती है; और

(ख) यदि हां, तो कब से ?

रेलवे तथा परिवहन उपमंत्री (श्री **अलगेशन**) : (क) जी, नहीं ।

(ख) सवाल नहीं उठता ।

Employment Exchange—Howrah

422. Shri Subodh Hasda : Will the Minister of **Labour** be pleased to state:

(a) the total number of Scheduled Tribes candidates registered at the Employment Exchange, Howrah, during 1954; and

(b) how many of them have been provided with service under the (i) Central Government, and (ii) State Government?

The Deputy Minister of Labour (Shri Abid Ali): (a) 52.

(b) (*i*) 19.

(*ii*) Nil.

Electrification

423. Shri Subodh Hasda: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Government propose to electrify Howrah-Khargpur Railway Section in the Second Five Year Plan; and

(b) if so, when the work is expected to start?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) This section is under consideration along with others but no decision has so far been taken with regard to the electrification of railway lines during the Second Five Year Plan.

(b) Does not arise.

केन्द्रीय ट्रैक्टर संस्था

४२४. **श्री नवल प्रभाकर** : क्या **खाद्य और कृषि** मंत्री यह बताने की कृपा करेंगे कि :

(क) आज कल केन्द्रीय ट्रैक्टर संस्था में पदाधिकारियों और चतुर्थ श्रेणियों के कर्मचारियों की अलग अलग संख्या कितनी है; और

(ख) उन में से कितने व्यक्ति क्षेत्र (फील्ड) कार्य म लगे हुए हैं ?

खाद्य तथा कृषि मंत्री (श्री **ए० पी० जैन**) : (क) और (ख). ३० जून, १९५५ को केन्द्रीय ट्रैक्टर संस्था में काम करने वाले पदाधिकारियों की संख्या विवरण के रूप में सभा की टेबिल पर रख दी गई है । **[देखिये परिशिष्ट ५, अनुबन्ध संख्या ५७]**

भर्ती

४२५. **श्री गणपति राम** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मुरादाबाद डिवीजन के लक्सर रेलवे लोको शैड में हाल ही में कुछ नियुक्तियां की गई हैं;

(ख) यदि हां, तो कितनी;

(ग) कितने उम्मीदवार थे, और उन म से कितने व्यक्ति चुने गये; और

(घ) कितने हरिजन उम्मीदवार थे, और उन में से कितने चुने गये ?

रेलवे तथा परिवहन उपमंत्री (**श्री अलगेशन**) : (क) से (घ): अभी कुछ समय पहले लक्सर लोको शेड (Lakhsar Loco shed) मे लोको कलीनरों का चुनाव किया गया था । कुल १८२६ उम्मीदवार थे जिन में से १९५ लिये गये । उम्मीदवारों में १८ हरिजन थे जिनमें से १३ चुने गये हैं ।

Train Service

426. Shri K. P. Tripathi: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the North Bank Express which used to operate from Tezpur to North Bengal is now operating from Amingaon instead of Tezpur; and

(b) if so, the reason for this change?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Nos. 305/306 North Bank Express trains are at present running between Manihari Ghat and Mal Jn.

Prior to 26-7-54, these trains used to run between Manihari Ghat and Amingaon, two of the coaches on these trains being run through to and from Tezpur. It is proposed to restore this position from 1-10-55.

Itarsi Railway Station

427. Shri Kamath : Will the Minister of **Railways** be pleased to state:

(a) whether the attention of Government has been drawn to the frequent hold-up of road traffic every day on either side of the level-crossings at Itarsi, Madhya Pradesh; and

(b) if so, the steps proposed to be taken in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) No complaint has been received of frequent hold-up of road traffic on either side of the level crossings at Itarsi.

(b) Does not arise.

Itarsi Railway Station

428. Shri Kamath : Will the Minister of **Railways** be pleased to state :

(a) whether the attention of Government has been drawn to the long queues and heavy congestion at the Railway Booking counter in Itarsi; and

(b) if so, the steps proposed to be taken in that direction?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No such complaint has been received.

(b) This matter is under constant review by the local authorities.

Sleeping Accommodation

429. Shri Gadilingana Gowd : Will the Minister of **Railways** be pleased to state:

(a) whether there is any proposal to provide Sleeping Cars for III Class passengers in Grand Trunk Express, Frontier Mail, Bombay-Madras Express and Mail Trains; and

(b) if not, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) There are no concrete proposals under consideration by the Government for the provision of sleeping accommodation for III Class passengers on the trains mentioned.

(b) Sleeping accommodation on certain trains has been provided on an experimental basis and the question of extension of the arrangement to other trains will be considered, in the light of experience.

विशेष रेलें

४३०. **श्री रघुनाथ सिंह :**
श्री साधन गुप्त :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि इस इरादे से कि लोग तुकराल गांव की श्रीमती गेंद कुंवर बाई को सती होते हुए देख सकें, आगरा और उज्जैन के बीच संकरी लाइन पर रेलवे प्राधिकारियों द्वारा तराना स्टेशन तक एक विशेष गाड़ी चलाई गई थी; और

(ख) यदि हां, तो यह विशेष प्रबन्ध क्यों किया गया ।

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) तथा (ख). सूचना इस प्रकार है :—

चलायी गयी स्पेशल गाड़ियों का ब्यौरा

(१) २९-७-५५ को उज्जैन से घोसला के लिये दो स्पेशल गाड़ियां ।

(२) ३१-७-५५ और १-८-५५ को घोसला से उज्जैन के लिये ६ स्पेशल गाड़ियां ।

कारण

तुराल गांव के रास्ते में घोसला स्टेशन जाने वाले यात्रियों की भीड़ हटाने के लिये ।

घोसला में इकट्ठे यात्रियों को उज्जैन और मकोरिया-आम वापस लाने के लिये ।

नोट :—घोसला स्टेशन मध्य रेलवे के उज्जैन-आगर (आगरा नहीं) खण्ड में है ।

Health Canteen

431. Shri M. L. Agrawal : Will the Minister of **Health** be pleased to state :

(a) the date from which the Health Canteen run in the Secretariat for Government employees is functioning,

(b) whether it is a fact that the Canteen is subsidized by Government;

(c) if so (i) the annual subsidy, (ii) the total subsidy given so far, and (iii) since when it is being given;

(d) whether it is a fact that this Canteen is continuously running at a loss; and

(e) if so, the total loss, year-wise, since Government have started giving subsidy?

The Deputy Minister of Health (Shrimati Chandrasekhar) (a) 10th January, 1949.

(b) Grants have been given by Government from time to time to the Health Canteen.

(c) No annual subsidy is given. The following grants have been given during the years 1951-52 to 1953-54 :

	Rs.
1951-52 .	1,000
1952-53 .	2,000
1953-54 .	2,500

(d) No.

(e) Does not arise.

Fertilizers

432. Shri N. B. Chowdhury: Will the Minister of **Food and Agriculture** be pleased to lay on the Table of the House a statement showing the quantities of fertilizers allocated to the different States for free distribution, during the last three years?

The Minister of Food and Agriculture (Shri A. P. Jain): A statement giving the required information is laid on the Table of the Sabha [*See* Appendix V, annexure No. 58].

Tube-Wells

433. Shri Ram Dass : Will the Minister of **Food and Agriculture** be pleased to state :

(a) the number of tube-wells sunk, district-wise, in the Punjab since the 1st April, 1954;

(b) the variations in expenditure in sinking them, district-wise, and

(c) the aid or loan which the Central Government have given to the Punjab Government for these wells?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) to (c). The information has been asked for from the State Government and the same will be furnished to the Sabha when received.

Corruption

434. Shri Ram Dass : Will the Minister of **Railways** be pleased to state :

(a) the number of Railway Employees, category-wise, who were convicted by courts, dismissed, degraded, and suspended departmentally for accepting illegal gratification during the period from the 1st January to the 30th June 1955; and

(b) the number connected with the goods traffic and passenger traffic s eparately?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). A statement is attached. [*See* Appendix V, annexure No. 59].

Seed Bulls

435. Shri Ram Dass : Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 185 on the 3rd August, 1955 and state the number of seed bulls distributed, State-wise under the Scientific Cattle Breeding Scheme?

The Minister of Food and Agriculture (Shri A. P. Jain): None of the seed bulls (Jerseys) received under Technical Co-operation Mission assistance from America have been distributed to the States.

NOTE.—*Vide* footnote below col. 3763.

This answer was later corrected by the Deputy Minister of Railways and Transport Shri Alagesan *vide* Part II Debates, dated 3-4-56, as follows :

"Rs. 5·10 lakhs approximately."

LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

VOLUME VI, 1955

(16th August to 3rd September, 1955)

TENTH SESSION, 1955

(Vol. VI contains Nos. 16 to 30)

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LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

LOK SABHA

Wednesday, 17th August, 1955

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(*See* Part I)

12 NOON

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:

"I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 16th August, 1955, has passed the following motion:

Motion

'That this House concurs in the recommendation of the Lok Sabha that the Joint Committee of the Houses on the Bill to amend and codify the law relating to intestate succession among Hindus be instructed to report on or before the 9th September, 1955'."

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

THIRTY-FOURTH REPORT

Shri Altekar (North Satara): I beg to present the Thirty-fourth Report of the Committee on Private Members' Bills and Resolutions.

GOA SITUATION

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I promised yesterday to give any further information about the occurrences on the Goa border that I receive. I have received through the Bombay Government a fairly lengthy report in regard to these occurrences. I have received this by telephone and so, in some places, there is a slight confusion and I could not verify. But, broadly speaking, the total number of persons who went into the Goa territory on the 15th August was 1711. The total number of people who came back was 1691; this included a few dead bodies. The total number of people missing thus far was 20. It may be that probably some other pepole were also shot down and dead, but we are not quite sure yet. Some are detained, some are in hospital in Goa.

Then, on the Daman border, 1249 went in and 1244 came back.

Shri Kamath (Hoshangabad): Dead bodies?

Shri Jawaharlal Nehru: One dead.

Shri Kamath: Injured?

Shri Jawaharlal Nehru: Seven injured, four missing still.

That is to say, according to authentic information, we only know that 14 are dead—we presume, though, that probably 6 or 7 more have died; but we have not got authentic information about it. Probably, the dead bodies were there. Anyhow, the definite information is 14 dead, 13 severely injured and 20 missing. Some of these 20 are in hospital in Goa and some otherwise detained. This is a broad analysis of the information I received.

It may interest the House to know as to what happened within Goa, apart from the satyagraha on the 15th August. From the 14th onwards, a number of persons, citizens of Goa, including some eminent citizens, were arrested by the Portuguese authorities. On the 14th, 20 citizens of Marmagoa and 20 of Betul were arrested. Then

[Shri Jawaharlal Nehru]

on the 15th, satyagraha took place at Marmagoa, roundabout. Repeatedly, batches of Goans of six each offered satyagraha carrying Indian flags. They were arrested and beaten severely, during and after arrest. There were demonstrations during the entire day and satyagraha was offered at repeated intervals in the market, on the main road near the Municipal Council, in front of the Model High School, and at the maidan there. Among those arrested were some very prominent citizens of Goa. Altogether, about 70 Goans were arrested on the 14th and 15th August, but it appears that most of them were subsequently released, though after the beating. Also in Goa on that day, a considerable number of Indian flags were put up by the citizens of Marmagoa and posters of 'Jai Hind' and '*Vive* Goa' appeared, and handbills were also distributed.

There is one thing else to which I should like to refer. This is about certain occurrences that took place yesterday, chiefly in Bombay, and to some extent elsewhere, even in Delhi, when fairly large and uncontrolled crowds went about and committed sometimes acts of violence. It is unfortunate enough that this should be done, and thus spoil the record, the peaceful record, of what was happening in Goa. But what was much worse was that this should be directed against foreign Consulates and foreign Missions in this country. Some damage was done, coercion was used, forcibly Indian flags were put up or the foreign flags were forced to be flown at half-mast. I have been deeply distressed at this, because it is our duty—not only the Government's but the people's—to show respect to foreign Missions here. Internationally, they cannot be touched; nationally, they ought to be respected, just as we expect respect to our Missions abroad. If we treat foreign Missions here in this light way, then we can expect little protection or respect elsewhere for our Missions. Anyhow, it is not considered proper behaviour anywhere. Therefore, it has distressed me greatly that any person here should behave in this way. I should like to offer my deep regret and apology to the foreign Missions or Consulates or establishments involved by this, and to assure them that we are prepared to pay full compensation for any damage done.

Shri M. S. Gurupadaswamy (Mysore): Which were the Consulates?

Shri Jawaharlal Nehru: It is chiefly in Bombay.

But apart from that, it does raise rather important issues for us, as to how we are to conduct, apart from our national internal polices, international policies. If our international policy has to be directed from the market place, then it is a little difficult for any person responsible for that policy to carry on anything. If the Government of India cannot rely on its citizens to give protection to the foreign Missions here and to show respect to them, then it does not speak highly of this country or the Government or the people. It is a matter of serious consequence, and I am sure this House will agree with me in regretting that such things should take place.

Shri Kamath: Will the Prime Minister be good enough to tell us what happened roundabout the Bombay Secretariat yesterday—incidents near the Bombay Secretariat, not the Consulate?

Shri Jawaharlal Nehru: In Bombay large crowds roamed about the streets, went to the various Consulate buildings, went to the High Court, prevented the High Court Judges from going to the court, surrounded ultimately the Secretariat building and did some damage there. A number of policemen were injured—quite a number—and they remained there after doing some damage and shouting slogans and late in the evening disperesed.

Shri Kamath: Was there firing as reported in the papers?

Shri Jawaharlal Nehru: There was, on one occasion, firing which, I think, injured two persons.

Shri H. N. Mukerjee (Calcutta North-East): May I make a submission? There are certain implications arising out of the report which the Prime Minister has given which I feel might very well be discussed in this House. I do not wish to suggest that anybody in this House countenances the idea of tampering with Foreign Missions in this country. But the way in which the report has been formulated—certain oblique way of even giving an objective report—and the implications which the Prime Minister has made more clear in a statement in the House yesterday and also outside this House, they all hang together. Especially after what has happened yesterday and the day before in different parts of the country and especially because of the repercussions in people's minds, I feel, Sir, that some good purpose will be served if we have a discussion in this House. You were pleased to suggest yesterday that perhaps on account of the events of the 15th August, there may be some discussion in the House provided the Prime Minister is agreeable. I think after having heard him and the report he has given, if you can very kindly allot some time it would be helpful to all concerned.

Mr. Speaker: I think we might consider this suggestion in a better rather calmer atmosphere and not just now. Let some time pass; Government will have time to get the correct information on that point and passions will cool down and then we will see as to whether such a discussion is at all necessary.

COMPANIES BILL—*Contd.*

Mr. Speaker: The House will now proceed with the further consideration of the Companies Bill. The balance of time left is 8 hours and 49 minutes.

Pandit K. C. Sharma (Meerut Distt. —South): Yesterday I was discussing about the various restrictions imposed by the proposed Bill.

One of the objections raised is about clause 197, that the remuneration should not exceed 11 per cent. of the profits. The objection is on the basis of logic and contradiction—how the interpretation of this clause is to be reconciled with the provisions of clause 347, remuneration to the managing agent, and clause 308, remuneration of the directors and clause 387, remuneration of the manager; it is difficult and intriguing.

[MR. DEPUTY-SPEAKER *in the Chair*].

My submission with regard to this objection is that so far as clause 197 goes, there is nothing wrong in fixing the limit to 11 per cent. of the profits. Ordinarily, you have to consider that 10 per cent. is good for managerial expenses. Courts of law do not give more than 10 per cent. for the management of any property or estate. Ten per cent. is accepted as good remuneration for all managerial duties.

With regard to the reconciliation of the various clauses, I find no difficulty because every succeeding clause proceeds, 'subject to the provisions of clause 197'. The remuneration given in clause 197 is the highest. That it will not exceed such and such does not necessarily mean that it would be the minimum. By the nature of it, it cannot be the minimum. So, if it is said that 10 per cent. can be given to the managing agency, it does not mean that 10 should be given; it only means that it can go up to 10 per cent. meaning thereby that the various personnel can get up to that in the overall 11 per cent. I again submit that 11 per cent. is good remuneration.

With regard to the sum of Rs. 50,000, I submit that an amendment is necessary and if it is found to be so after further scrutiny. I think, it will be properly amended.

Then, I come to another aspect of the question, that is the provisions of clauses 264 and 407. An argument has been raised that clause 264 will create trouble if a company makes a rule that two-thirds of the directors be elected by proportional representation and clause 407 that two directors be appointed if an application is made by the shareholders representing one-tenth of the voting power in cases where the managing agency is working in a way

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oppressive to certain sections of the shareholders or against the interests of the company.

So far as the working against the interests of the company is concerned, I think the House will agree that the Government should step in. So far as the oppressive attitude towards certain sections of the shareholders is concerned, I think if certain sections of the shareholders feel oppressed, then, certainly, the working of the company would neither be peaceful nor helpful. So, in both ways, it is necessary. If my suggestion is accepted that the election of the directors should be by proportional representation by single transferable vote, then, these two clauses would be unnecessary. It would be better because it is accepted that every section of the shareholders should be satisfied that they have their say in the management of the company. We cannot escape this position. Therefore, it is much better to have straightaway a provision to elect the directors by the method of proportional representation by the single transferable vote.

I may add that situated as we are, it is necessary that the Bill should provide for the representation of the workers on the directorate. My friend, Shri Bansal, stated that the management will become impossible. I would respectfully submit that in future the management would become impossible unless you take the workers into confidence for the simple reason that the attitude of the workers has changed. They have realised their importance; they have made their demand and, because they are a significant factor in the production of wealth, their demand cannot be ignored.

The second thing is, unfortunately, business managerial agency has failed to appreciate the conditions of the workers, their demands, the new outlook on life and the position in which they—the workers—are placed. It has been recognised long before that it is equally necessary or better to invest in the human material than in the machinery and other factors in the building up of an industry. All over the world investment in human factor has paid, but our managerial system has failed to appreciate this. Yesterday my friend from U.P. pointed out how 250 people are treated, living in a dirty place and no facilities being given. Something has been done and more will be done. But to feed two persons is no argument to kill two others. The very fact that certain people are obliged to live under unhealthy conditions and are required to work for the production of wealth for the community is bad enough and should not be tolerated. How can we tolerate a person, who is producing wealth for the community, living in unhealthy conditions? Therefore, I say that under the present conditions it is necessary that the workers should be represented on the directorate. You say that if you bring the workers' representative on the directorate, then the company will not work. My respectful submission is that if you do not satisfy the labour, your organisation will fail. It is better to satisfy them and to work in co-operation with them and thereby have greater production and better work.

I now pass on to the other clauses about the managing agency, of which so much has been talked in this House.

Mr. Deputy-Speaker: Hon. Members must now hurry up as I find the time for closing is drawing nearer and nearer, and there are a number of hon. Members who want to speak. I will allow only fifteen or twenty minutes hereafter. If the hon. Members do not come up earlier, I will have to request some other hon. Members to fill the vacancy.....

Pandit K. C. Sharma: I will conclude in ten minutes.

These are the other restrictions on the managing agency which have been discussed and to which objection has been taken. Clause 323 deals with the power of the Central Government to notify that companies engaged in specified classes of industry or business

shal not have managing agents. This is a power given to the Government. It does not mean that the agency in very industry would be finished. Only certain industries would be chosen where, by experience and scrutiny of the working of the management, it would be found desirable that they should not have managing agencies, and I think there can be no objection to this. Clause 324 says that a managing agency company need not have a managing agent. This also is quite a good provision and no objection could be raised against it. Any hue and cry against this provision is simply useless. Clause 325 empowers the Central Government to approve of appointment, etc., of managing agents and details the circumstances in which approval may be accorded. My friend, Dr. Krishnaswami, took pains to question why the Government should sit in judgment as to whether a managing agent is to be appointed or any existing managing agent is to be reappointed and how to find out whether a person is fit enough to be appointed as a managing agent or not. My respectful suggestion is that this clause is very necessary. He is to be appointed if he is intellectually fit and has enough of moral integrity—these are the two criteria. A man should not be appointed if by experience he has proved himself to be inefficient and dishonest.

Pandit Thakur Das Bhargava (Gurgaon): Where is the barometer to judge it?

Pandit K. C. Sharma: The barometer is the experience. Human mind has nothing except the lamp of experience to see the light. It shows the whole conduct and whether he is intelligent and honest. Everybody cannot be put in charge of big concerns and some necessary qualifications are to be looked into.

Clause 329 states that the term of office of existing managing agents should be terminated on the 15th August 1960. My respectful submission is that the term of office of existing managing agents should be terminated at the commencement of this Act and they should be re-appointed by the vote of the shareholders of the company, because this law changes the entire set-up of the managing agency system. This law has come into existence or is being discussed because by experience we have found that the system requires a change. Once you have accepted that the system did not work well, and that the people in power or the managing agents have misbehaved, then *ipso facto* it follows that in order to keep those men in office, they must seek the confidence of the shareholders. Mere logic necessitates that with the commencement of this Act, the existing managing agencies should cease to exist unless their terms are renewed by the company. Clause 331 states that no person shall be a managing agent of more than ten companies. I think experience has shown that too many companies would not help in good management. Of course, there will be ways to circumvent the law by having too many branches or too many departments, but there is no law which cannot be circumvented. Stronger the lock, easier to break.

There are other restrictions about which my friend, Shri Somani, said that they would be too rigid, too obstructive, complicated and restrictive. The argument goes that at a time when India is having an industrial revolution, these restrictive, rigid and complicated provisions of law are not compatible with the situation as it is or are not adjustable to the objective aimed at. My respectful submission is that an industrial revolution without a moral revolution will create more of trouble than poverty and ignorance have created. Great industries give greater powers in the hands of a few people, and to have great powers without exercising the minimum decencies of human life would be a dangerous situation. Therefore, these restrictive, rigid and complicated laws are necessary. Let me put forward a simple proposition—the more evolved a society is, the more complicated will be the law. The criminal law is not meant for criminals; it is meant for the citizens. There is no criminal class as such: the criminal

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is the result of social environment. It tells you how to behave and how not to behave. Human beings cannot do what they like. They are restricted. They have certain responsibilities. They have a duty to perform, and therefore, the better or more well up you are, there should be more restrictions on your conduct. I suppose it is an honour to the industrial and managerial magnates that rules of conduct are prescribed for them—and they are too many.....

Shri S. S. More (Sholapur): This proposition would mean that with increasing freedom, we shall forge more fetters.

Pandit K. C. Sharma: Take the case of the learned professions. How many rules are there for the lawyer? They are not for the businessman. For a lawyer is superior in society. Therefore, the more evolved a person, system or organisation is, the greater would be the number of rules and the more restricted his activities would be. The finer the building the more chisselled are the stones. It is not raw stones that are put in the Taj. So, it is not in derogation to any profession or industry or business that the rules are made too rigid. The rules are made too rigid so that they may progress well and be better.

सेठ अचल सिंह (जिला आगरा, पश्चिम): हमारे कम्पनी ला में संशोधन की बहुत जरूरत है क्योंकि इसका सम्बन्ध इंश्योरेंस कम्पनीज, बैंक्स और तमाम इंडस्ट्रीज से है।

पहले कम्पनी एक्ट में काफी कमियां थी जिस की वजह से बम्बई शेअर होल्डर्स एसोसियेशन ने उसके खिलाफ आवाज उठायी। मैं समझता हूं कि हमारे कम्पनी एक्ट में सुधार होने की अत्यन्त आवश्यकता है। हमारे देश में अंग्रेजों के आने से पहले इतनी बड़ी कम्पनियां नहीं थीं। ज्यादातर यहां के साहूकार काम करते थे और कुटीर उद्योग और छोटे छोटे उद्योगों के रूप में काम होता था। लेकिन इन छोटे छोटे कामों से इतना बड़ा काम हो जाता था कि हमारे व्यापारी लाखों करोड़ों रुपये का माल विदेशों को भेजते थे। जो धनी और साहूकार लोग थे वे ही सारे व्यापार को चलाते थे। लेकिन जब अंग्रेजों ने हमारे देश पर कब्जा किया तो उन्होंने व्यापार को अपने हाथों में लिया। इंगलैंड में कम्पनी एक्ट जारी था। इसलिए उन्होंने यहां पर भी उसके अनुसार जाइंट स्टाक कम्पनी एक्ट सन् १८५० में जारी किया।

विक्टोरिया के एलान के बाद जब ब्रिटिश गवर्नमेंट ने हिन्दुस्तान को अपने हाथ में लिया तो उन्होंने सन् १८६२ में कम्पनी एक्ट बनाया और इंडस्ट्रीज को अपने हाथ में लिया और लोगों को भी उसके अनुसार काम करने का मौका दिया। लेकिन जब उन्होंने यह देखा कि लोगों ने उस कम्पनी एक्ट का दुरुपयोग किया है तो फिर सन् १८८२ में सुधारपूर्वक कम्पनी एक्ट बनाया। उसके उसमें सन् १९१३ में और फिर सन् १९२६ में ग्रीन कमीशन की सिफारिशों के अनुसार उसमें संशोधन किये गये।

दूसरे विश्व युद्ध के दौरान में और उसके बाद यहां जो कम्पनियां थीं उनके मैनेजिंग एजेंट्स ने बहुत नाजायज फायदा उठाया। खास बात यह थी कि लड़ाई के दौरान में बाहर से कंज्यूमर्स गुड्स आना बन्द हो गया था। इस लिए यहां पर अनेक इंडस्ट्रीज जारी हुई और उन चीजों के काफी दाम बढ़ते गये और मैनेजिंग एजेंट्स ने इस तरह से नाजायज फायदा उठाया कि वह अपनी चीजों को किसी अपने रिश्तेदार को बेच देते थे और फिर उन को बहुत ऊंचे दामों पर बेचते थे। इस वजह से बाम्बे शेयर होल्डर्स एसोसियेशन, फिस्कल कमीशन, इनकम टैक्स इनवेस्टीगेशन कमीशन, इंडस्ट्रियल फाइनेंस कारपोरेशन और प्लानिंग कमीशन ने आवाज उठायी और कहा कि कम्पनी एक्ट और मुख्यतः मेनेजिंग एजेन्सी में काफी सुधार होना चाहिए। इसके फलस्वरूप गवर्नमेंट ने सन् १९५० में एक कम्पनी ला कमेटी नियुक्त की जो भाभा कमेटी के नाम से मशहूर है। उस

कमेटी ने अपनी रिपोर्ट सन् १९५२ में दी। उसके अनुसार गवर्नमेंट आफ इंडिया ने कार्रवाई शुरू की।

सन् १९५१ में प्रथम पंचवर्षीय योजना शुरू की गयी। उसमें गवर्नमेंट का ध्यान इंडस्ट्रीज की तरफ गया। विदेशी राज्य में हमारे भारतवर्ष को अपनी इंडस्ट्रीज की तरक्की करने का पूरा मौका नहीं मिला था। इस बीच दूसरे देशों में इंडस्ट्री की काफी तरक्की हो चुकी थी। जब हमारी नेशनल गवर्नमेंट बनी तो उसने देखा कि हमें अपनी इंडस्ट्रीज को तरक्की देनी चाहिए। जब तक हमारी इंडस्ट्रीज तरक्की नहीं पा जायेंगी तब तक हम सेल्फ सपोर्टिंग नहीं हो सकते और हमको बहुत सी चीजें बाहर से मंगानी पड़ती हैं। तो इस ओर सरकार ने काफी ध्यान दिया और पार्लियामेंट के सामने सन् १९५२ में मौजदा बिल पेश किया गया और अब यह सिलेक्ट कमेटी से होकर हमारे सामने आया है।

ए० आई० सी० सी० ने और हमारी सरकार ने भी हमारे देश में समाजवादी समाज की स्थापना करने का उद्देश्य अपने सामने रखा है। इस का मतलब यह है कि हमारे देश में कोई आदमी नंगा, भूखा और बेरोजगार न रहे और हर एक आदमी के रहने और खाने पीने का इन्तिजाम हो जाय।

हमारी प्लानिंग कमीशन ने और नेशनल डेवेलपमेंट काउंसिल ने सुझाया कि किसी तरह से हमको अपने देश की इंडस्ट्रीज को बढ़ाना चाहिए। कुछ देशों में सरकार इंडस्ट्रीज को चलाती है और कुछ में जनता लिमिटेड कम्पनियों द्वारा चलाती है। लेकिन हमारे यहां यह सोचा गया कि मिक्स्ड इकानमी होनी चाहिए अर्थात् हेवी इंडस्ट्रीज को गवर्नमेंट चलावेगी और छोटी इंडस्ट्रीज को व्यक्तिगत कम्पनियां चलाती रहें। इससे काम ठीक चल सकता है ऐसा विश्वास है। इस वक्त जो कम्पनी बिल हमारे सामने है उसका यही उद्देश्य है।

इस समय हमारे देश में २६ हजार से ज्यादा लिमिटेड कम्पनियां हैं जिनमें एक हजार करोड़ रुपया लगा हुआ है। आठ सौ से ज्यादा विदेशी कम्पनियां हैं जो कि बाहर रजिस्टर हुई हैं। उनमें १४०० करोड़ से ज्यादा रुपया लगा हुआ है। इस तरह काम चल रहा है। हमारी गवर्नमेंट ने सोचा कि वह किस तरह से इन कम्पनियों में सुधार कर सकती है क्योंकि लोगों ने उनके खिलाफ अपनी आवाज उठायी है। इसी सुधार को करने के लिए यह कम्पनी बिल लाया गया है। इस कम्पनी बिल में खास तौर से मैनेजिंग एजेंसी सिस्टम के खिलाफ आवाज उठायी गयी है। इसमें सन्देह नहीं कि मैनेजिंग एजेंट्स ने काफी अपने राइट्स अर्थात् हकों का दुरुपयोग किया। इससे उनके खिलाफ लोगों को बहुत शिकायत है। मैं अपने जाती तजर्बे से कह सकता हूं कि किस तरह से मैनेजिंग एजेंट्स ने नाजायज फायदा उठाया है। लाहौर में पीपिल्स बैंक आफ नदर्न इंडिया लिमिटेड बैंक थी। उसके डाइरेक्टर्स ने जनता का कई करोड़ रुपया लेकर अपने डाइरेक्टरों में बांट दिया और कारखाने खोले गये, आदि लेकिन आजतक एक पैसा शेअर होल्डर्स को नहीं मिला और तमाम रुपया मारा गया। इसी तरह से बहुत सी कम्पनियां खुलीं और उन्होंने जनता का विश्वास प्राप्त करके रुपया इकट्ठा किया और उसका नाजायज तौर से इस्तेमाल किया और तमाम शेअर होल्डर्स का रुपया मारा गया। इसलिए यह अत्यन्त आवश्यक है कि हमको मैनेजिंग एजेंसी की तरफ काफी ध्यान देना चाहिए। हमारे सामने जो बिल है उसमें मैनेजिंग एजेंसी व्यवस्था पर बहुत बन्दिशें लगायी गयी हैं। इन बन्दिशों के कारण अब काम ठीक से चलेगा। लेकिन अफसोस इस बात का है कि आज जनता का और सरकारी अफसरों का नैतिक स्तर बहुत गिर गया है। इसलिए जबतक हम अपने मोरल को नहीं उठायेंगे तबतक हमारा कोई काम ठीक से नहीं चल सकता।

[संठ अचल सिंह]

हम देखते हैं कि इंगलैंड में भी यह कानून लागू हैं। लेकिन वहां के लोगों का क्रेडिट बहुत जबरदस्त हैं। जो नमूना या स्टैंडर्ड वह बतलाते हैं उसी स्टैंडर्ड या नमूने का माल यहां आता हैं। लेकिन हमारे देश में जो कम्पनियां काम कर रही हैं उनका नमूना कुछ होता हैं और जो माल वह सप्लाई करती हैं वह घटिया तरह का होता हैं। इससे उनका विश्वास करना कठिन हो जाता हैं। इसलिए चाहे वह गवर्नमेंट हो या मैनेजिंग एजेंसी हो, जब तक लोगों का मोरल या चरित्र ऊंचा नहीं उठेगा तब तक काम ठीक से नहीं चल सकता। गवर्नमेंट ने भी जो योजनायें बनायी हैं, भाखरा नंगल की और हीरा कुड आदि की, उनके बारे में भी हम सुनते हैं कि काफी रुपया गबन किया गया हैं। आखिर गवर्नमेंट में भी मनुष्य तो हिन्दुस्तान के ही काम करते हैं। वह चाहे कहीं काम करें, अगर उनमें सचाई और ईमानदारी नहीं हैं तो अच्छा काम नहीं हो सकता। गवर्नमेंट कानून बनाती हैं तो वे उससे बचने का रास्ता निकाल लेते हैं। गवर्नमेंट ने इनकमटैक्स का कानून बनाया हैं। लेकिन उससे बचने के लिए हमारे बहुत से भाई दो दो बही-खाते रखते हैं। सरकार को एक दिखाते हैं और अपने काम के लिए दूसरा रखते हैं।

मैं समझता हूं कि हमको चाहिए कि हम ऐसा कानून बनावें जो कि न तो बहुत कड़ा हो और न जिसमें बहुत ढील पोल हो। ऐसा कानून होना चाहिए कि उसमें गवर्नमेंट के भी राइट्स रहें और पब्लिक को भी काम करने का मौका मिले ताकि वह देश की तरक्की करने में अपना भाग ले सके। मैं इस बिल का तहे दिल से समर्थन करता हूं और समझता हूं कि मैनेजिंग एजेंसी सिस्टम में सुधार करने की बहुत जरूरत हैं। पर इसको रखना चाहिए क्योंकि इसके बगैर काम चलना बहुत मुश्किल हैं। लेकिन जो लोग इसमें रखे जायें वे अच्छे आदमी हों और वा वकत आदमी हों और साथ ही जो गवर्नमेंट की मैशिनरी काम करें उसमें भी ऐसे ही आदमी होने चाहिए ताकि वे इस काम को ठीक से कर सकें। आज हम देखते हैं कि एक्साइज इंस्पेक्टर, पुलिस इंस्पेक्टर, सेनेटरी-इंसपेक्टर लेबर इंस्पेक्टर आदि वे सब इसलिए रखे जाते हैं कि काम ठीक से चले। लेकिन होता यह हैं कि बहुत कुछ गड़बड़ी करते हैं और ये लोग नाजायज फायदा उठाते हैं। इस लिए यह अत्यन्त आवश्यक हैं कि सरकारी अधिकारी अपने मोरल को ऊंचा करें। जब वे ऐसा करेंगे तभी कानून से काम ठीक से हो सकेगा। अगर ऐसा नहीं होगा तो इसमें काफी गड़बड़ी हो सकती हैं।

इसलिए मैं इस बिल का समर्थन करता हूं। साथ साथ ही मैं यह चाहता हूं कि मैनेजिंग एजेंसी सिस्टम कायम रहे और इसमें समय की पाबन्दी न रखी जाय और जनता को मौका दिया जाय कि वह आजादी से काम कर सकें। गवर्नमेंट के हाथ में तो हमेशा ताकत रहेगी। वह जब चाहे तब मैनेजिंग एजेंसी को खत्म कर सकती हैं।

Shri T. S. A. Chettiar (Tiruppur): When we heard the speech of my hon. friend Shri Somani yesterday, I was rather afraid when he said that many managing agency houses are thinking of not starting companies in the future. I do not know whether the news that I have heard is correct —that he himself has floated a company, involving a few crores, with managing directors. I have had occasion to refer to certain statistics and to see whether these amendments which have been introduced have resulted in a lesser number of companies being floated in the immediate past. You know and this House knows and the public knows very well that the amendments that we are contemplating in this Bill have been spoken about for the last one year. If there had been an effect of those amendments, to a certain extent it would have been perceptible in the registration of companies. Many of these

people, the big wigs, who gave evidence before us were very well aware of these trends in company legislation. If I may quote from the latest issue of the *Journal of Industry and Trade*, page 1134,88 new companies, limited by shares, with a total authorised capital of Rs. 15:36 crores have been registered during the month of February, 1955. This brings the total number of companies registered during the period of eleven months in the fiscal year 1954-55 to 1,076 with an authorised capital of Rs. 227:48 crores. During the corresponding period of last year, the number was 1,087—not very much more—with an authorised capital of Rs. 43:65 crores So, the amount involved in the registration of these 1,076 companies is nearly four times more than what was registered in the corresponding period in the previous year. Therefore, I do not think there is real fear that capital will not be forthcoming and that companies will not be registered under the provisions of this Bill.

Now, coming to some of the provisions of this Bill itself, the managing agents, as all pepole know, abused the measures, and I think my hon. friend overdid it when he criticised some of the provisions. I should think that many of these provisions are welcome. There are more than a hundred provisions which impose a penal clause. I do hope that the business community will realise this, and I hope that there will be no need to use these provisions. But to have these provisions in the Bill is perhaps the best safety for them not to have it used against them. I am one of those who believe that a nation cannot be legislated into morality. My learned friend who spoke before me said that before we have an industrial revolution we must have a moral revolution. I do not think there is any morality implied in this Bill. In fact, what we seek to do is to face certain immoralities that are obtaining in company management. We do hope that with all these restrictions—though one feels, when one goes through the Bill, it is sickening to go through those restrictions which are everywhere in the Bill—the pepole will get themselves accustomed to this procedure. Previously, whenever any social legislation came up, we protested against it. How can Government interfere with the private lives of people? But we have got accustomed to that interference. More than that, I feel that when lakhs and crores of shareholders are concerned, when abuses have been pointed out, when committees after committees have pointed out that something must be done about them, the people will accustom themselves to these provisions while the provisions may look irksome. I do hope that this will really result in a purer and better administration of companies.

Now, I would like to come to another point. There was a claim put forward by certain sections of the House that representation must be given to labour in the dirdectorate According to the existing Act,—originally—the managing agents were all-powerful. Naturally, abuses were lessened when a limitation on the powers was laid by the recent legislations, but today what is being done in the various sections, if we see the provisions from a large point of view, is to enlarge the powers of the directors, to enlarge the powers of the shareholders and the general body so that they will be able to have a better and greater control. To me, Mr. Deputy-Speaker, when we come to see labour as a fourth estate, if I may say so, which wants to claim power in the management, when we want to seek to limit the profit and remuneration of the directors and the managing agents, I should think we should have a greater and a larger view and see how those profits are made. These profits are made not only due to the cleverness of the managing agents, not only due to the investment of capital by shareholders, not only due to the output of labour but by the set-up of protection which this country gives to them. Protection is given in certain cases; imports are made in certain cases to develop the industry; exports are permitted to develop industry, and

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so, to my mind, all the profits are not due merely to the capital, to the management and to the labour but also to the protection which the State provides. In these circumstances, why should we not contemplate a limitation on dividend. I know even this year there have been companies who have given 30 per cent. dividend or who have given more than 30 per cent. dividend. Why has it happened? Because the economic set-up of the country has been such. To me, on any investment, 12 per cent dividend is about the maximum which must be given in any company. If the profits that are due to those companies are out of the set-up that has been provided in this country, I do not see any reason why we should not put a limitation on the dividend; if we can put a maximum limit on the profits, I should think that the community must be enabled to reap the benefits of those higher dividends which it may get because of the protection and the arrangements that the State makes for the running of those companies.

My friend who spoke yesterday said that economic policy should not be confused with company legislation. I say that company legislation, as is being contemplated in this Bill, is not only consistent with, but tries to enforce, our economic policy. It is stated that the Companies Bill is a handmaid for enforcing our economic policy. Not only should we put a limit to the remuneration of managing agents, as we have done rightly, but we should put a limitation on the amount of dividend to be given. I should think that 12 per cent. dividend is about the maximum that should be allowed. After all, it is an unearned profit as far as the shareholder is concerned. In a socialistic pattern of society, the human material must have greater value and capital must have a lesser value, though it must also have some value.

Let me come to the next point of labour being represented on the Board of Directors. To my mind, labour is a very important element. But I must also say that as we have seen from recent trends, the root cause of trouble is the go-slow policy which has been adopted in some cases, I shall be happy if the wage of labour is interconnected with the profits of the company, so that if the profits go down, the wages also will go down up to a certain point. This will ensure that the labour will be interested in the greater production of the company. We have heard about Russia. In Russia labour is being associated with the industry in order to increase production and not to decrease production. Therefore if we should connect labour with management, it should be to find ways and means of increasing production and not merely to claim a larger wage. Today if something wrong happens to a company, some people seem to enjoy it. That is not the approach which labour should have. If the wages given to labour are connected with the profits of the company and if the wages are cut subject to a minimum, I believe then only will they have a real interest in the progress of the company. I should think that if representation is to be given to labour on the Board of Directors, it must not be an irresponsible representation, but a responsible one dependent upon greater produce and greater output.

I would like to deal with certain aspects which have not been mentioned in the previous speeches. I may, in this connection, be permitted to refer to certain clauses of the Bill. Coming to clause 613, in the pattern of industry which we contemplate, we are bound to have more and more companies which are called Government companies. According to our industrial policy, certain aspects of industries have been reserved for Government management. Clause 614 provides that,

> "The Central Government may by notification in the Official Gazette direct that any of the provisions of this Act shall not apply to any Government company."

I hope that the Finance Minister will indicate in his reply the provisions from which he expects the Government companies to be exempted. We would like to have not only an indication of that type, but we would also wish that a very important matter like this should not merely be dealt with by a notification by the Government, but should go for consultation to the Advisory Commission mentioned in clause 409. Clause 409, as he may be aware, provides for the appointment of an Advisory Commission and clause 410 mentions the sections under which cases may be referred to that Commission. Clause 614 does not come under clause 410. I think that it is very important that a notification like this should be made only on the advice of a Commission constituted by Government which is considered to be composed of great experts in this matter.

I would also like to refer to the opinions of the Comptroller and Auditor-General circulated to the Public Accounts Committee. He has pointed out certain very important aspects which do not find a place in the Bill. He very rightly says:

> "There is no provision requiring Government to place the accounts and audit reports of each such Government company before the Parliament or the State Legislature as the case may be. This appears to be contrary to the declarations made by Government from time to time in the Parliament. In his speech on the 11th December, 1953, on the control of public corporations etc. before Parliament, the Finance Minister stated *inter alia* that in case of limited companies, audit by the Comptroller and Auditor-General shall be obligatory and his report will in the usual way be submitted to the Parliament and it is scrutinised by the P.A.C. The Finance Minister also stated that the budgets of these companies will also be placed before Parliament and if so desired by Government, by providing a suitable clause in the Companies Bill."

I am sorry that has not been done in the provisions of the Companies Bill. There is no provision for giving the Comptroller and Auditor-General the right to arrange for external audit; he should have the right to examine the accounts of Government companies. Also, it has not been provided as to how the auditors will be appointed under this Act. To avoid favouritism and public criticism, only qualified auditors should be appointed in consultation with the Comptroller and Auditor-General, and I should think that amendments on the lines suggested by the Auditor-General should be incorporated in the Bill.

I now come to another clause which has also not been discussed yet. Clause 610 deals with the application of this Act to insurance, banking, electricity and other companies governed by special Acts. This House knows that there is the Insurance Act and the Banking Act under which a certain method of maintaining accounts is being prescribed. The insurance companies are under the surveillance of the Superintendent of Insurance and the banking companies are under the surveillance of the Reserve Bank of India. But now we are forming a department separately for the administration of company law. The insurance companies and the banking companies are also companies. We should consider whether it is not right that with regard to certain aspects—I mean certain non-technical aspects—of the company management, all these companies should not come under the same management as the Department which the Government of India are going to form. Coming to this department, there are nearly 94 clauses which provide for interference of Government in company administration. Of these 94 clauses, some deal with very important matters and there are also some clauses which are not so important. I should think that this department should work in a quasi-judicial way with set principles before them

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and also have precedents. They should publish these precedents if necessary, so that the public may know that on the same facts, one decision is given in one case and another decision is not given in the other case. I think that developing good precedents in company law administration is of the utmost importance. I hope that the department which Government propose to set up will not be wooden. I should also think that it will not be regarded as other departments of Government where interference may be possible; this department should function as a quasi-judicial body with precedents to guide them. While doing so, they should take the advice of the Advisory Commission mentioned in clause 409 as much as possible. The clauses referred to in clause 410 are not sufficient. They must be considerably increased. Even clause 323 which refers to the notification of industries in which managing agents need not be appointed, is not included. To my mind, this is a very important clause and in these matters, no executive decision should be taken unless the advice of the Commission is taken. They must also develop a tradition that as far as possible, the advice of the Advisory Commission will be accepted, because, I do not think that really competent people will serve on the Advisory Commission unless their words are given weight. Government nominate the members of the Advisory Commission. It is not an elected body. The Government choose the best men in the business community for the Advisory Commission. So, we must develop this tradition that the Government will accept the advice of this Commission, though the details will necessarily have to be worked by the department itself.

1 P.M.

Coming to the question of Secretaries and treasurers, referred to in clauses 378 to 383, these are put forward before the House as an alternative management to the managing agency system. It is true that there are important differences between the secretaries and treasurers and managing agents. These people are not represented in the directorate; they cannot nominate anybody in the directorate. Their remuneration is limited to 7½ per cent. Still I think that certain restrictions which apply to the managing agents should also apply to the secretary and treasurer. The restriction that no company can be the managing agent of more than 10 companies should as well apply to the secretary and treasurer. The amount of management that one can do depends certainly on the organisation which he has at his disposal. But, we generally think that for any organisation to be the managing agent for 10 companies is good enough. If we think so in the case of the managing agents, I should think that that should be so in the case of the secretary and treasurer also. There is another matter with regard to the secretary and treasurer which some people might refer to. That is, that the notification referred to in clause 323 must also apply to the secretaries and treasurers.

An Hon. Member: Yes.

Shri T. S. A. Chettiar: My hon. friend says, yes. I think power may be taken by the Government. As the secretary and treasurer are offered as an alternative management to companies instead of the managing agency, I do not think there will be much point in saying that we must abolish these also. Because no other alternative management has been suggested. The managing director is there. The managing director is also as good as the managing agent.

Another point which has been very much discussed in this House is about the system of proportional representation under clause 264. To my mind, it will be wrong to say that every company should elect the directors on the principle of proportional representation. It is a new thing. Even in the United States which has been referred to, it is only in a very few States that it has been introduced. In

a large number of States, it is an optional matter. We must leave the question of proportional representation for election of the directorate on an optional basis, so that, if the shareholders want, it may be adopted. Nothing prevents them from amending the articles of association in a Special meeting. The Bill as it is, providing for it on an optional basis, is good enough. I do not think we should go to the extent of making it compulsory.

Another important aspect of company law is covered by clauses 84 to 87 which provide for two kinds of capital. The House knows that there are other kinds of shares under the existing Act. The Joint Committee have thought it fit to amend the law, so that there will not be any other kind of shares with extra privileges. There will be only two kinds of capital, equity and preference. What I do not like is the savings clause, that is, clause 89 which says:

> "Nothing in sections 84 to 88 shall (a) in the case of any shares issued before the commencement of this Act, affect any voting rights attached to the shares save as otherwise provided in section 88,....."

From the commencement of this Act, as has been provided in certain other cases, 3 years' time must be provided and after that no extra voting rights should be given. The only two kinds of shares provided in clauses 84 to 88 should obtain in all companies after the three years provided in the Bill.

The notifications under clause 323 are placed before Parliament. But, we must make sure that not only are they placed on the Table of the House, but that the House is enabled to discuss them and move amendments so that the House may express itself on this question. Placing on the Table of the House may not mean that amendments can be moved, the matter can be discussed and the House can express itself effectively on this. I do not think I have many more things to say now. There are certain detailed matters about which I shall speak at the time of the discussion of the clauses.

Mr. Deputy-Speaker: Shri V. B. Gandhi. Hon. Member will be sweet and brief.

Shri V. B. Gandhi (Bombay City—North): I shall try.

The Finance Minister and the Joint Committee deserve compliments. The Bill before this House is a big job well done. Many good things have been achieved by this Bill.

I shall mention that the first good thing coming out of this Bill is the provision for disclosure of information. This disclosure is going to be the fullest practicable and also, this disclosure is going to be made in the prospectus, in the balance-sheet as well as in the profit and loss account. This provision is going to prove a very valuable safeguard for the shareholders, for the creditors and for the investing public. There is the abolition of the disproportionate voting rights. This provision again, will remove an old source of injustice and oppression. Thirdly, there is a provision which limits the period of the renewal of the managing agency to only 10 years. So, under this provision, the managing agents will have to go before the shareholders to get their consent for a renewal. And this provision again will help to eliminate all practices which amounted in the past to serious abuses.

Then, there are other provisions for the Government to investigate. There are provisions for shareholders to apply to courts in cases of oppression and in cases of prejudicial management. Finally, there is also the provision in clause 407 for Government to intervene and to appoint two directors and to prevent oppression and mismanagement. Some of these provisions did exist in the 1951 amending Act, but they are now emphasized and strengthened. These provisions, therefore, are very welcome, and the combined effect of all these will be to improve the regulation of joint

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stock companies. But, even the best of laws have to be administered effectively, and there is a belief, among those who know something about the regulation of joint stock companies—a belief which exists not only in official circles, but also in company circles—that the existing Act was by no means inadequate to deal with situations that arose in the past. If only it had been administered with greater energy and with greater resolution, perhaps we could have improved the regulation very materially.

In this Bill we get an impression that the whole scheme of it is directed towards dealing with the big men among the managing agents, the big ones among joint stock companies. The very fact that a provision has been inserted fixing the minimum remuneration that could be allowed when there is no profit at a figure of Rs. 50,000 shows that the kind of managing agents and the kind of joint stock companies that are there in the minds of the framers of this Bill are the big ones. The minimum remuneration is to be Rs. 50,000 and to avoid the necessity to have to take advantage of this minimum remuneration, the company would have to have a profit normally of about Rs. 5 lakhs and more. There are in this country among the 29,000 joint stock companies registered, a very large proportion of companies which are small companies.

Take again, the provision that limits the number of managing agencies that a person could hold to ten. There again it is clear that the managing agents that this Bill has in mind and which the Bill is taking care to deal with, are the big ones, the ones who have ten managing agencies or more. But we know a vast majority of the companies out of the 29,000 registered companies are managed by people who probably have only one company to manage. Now, with all these 149 penal clauses in this Bill, with all the 94 clauses in which some kind of Government approval has to be secured by these companies, with all the restrictions and prohibitions that are there spread over so many clauses, I am afraid that this Bill is going to work hardship on the small companies.

This Bill has its shortcomings, as a Bill of this size and this importance is bound to have. First, there is a tendency in this Bill to place very wide powers in the hands of Government without providing a proper check over these powers. Secondly, there are provisions regarding managing agency and some others which are characterised by indecision and vacillation. Thirdly, there are provisions in which unnecessary rigidity and dogmatism have been introduced. I am referring here to clauses like those on minimum remuneration and also those that fix or limit the number of managing agencies that a person can hold. Then again, while we have been pleading for safeguards .....

Mr. Deputy-Speaker: The hon. Member does not want any limit, is it?

Shri V. B. Gandhi: I do want and I am presently going to show that that limitation may be brought about in some other way rather than by having a very rigid provision of the kind we have in the Bill.

While pleading for safeguards for the shareholders, what we have really accomplished is that we have completely eliminated the shareholder from the picture. The shareholder's rightful role as the virtual owner of the company has been reduced almost to a shadow. And lastly, the definition of Government companies needs to be made more comprehensive, and also the duty should be clearly laid on Government to place the reports of the Comptroller and Auditor-General on Government companies before Parliament.

Talking about these wide powers to Government, as I have said, as many as 94 clauses are there in this Bill which require managing agents and companies to go to Government to

secure some kind of approval from Government. I do not want to suggest that Government should not have these powers. Probably over 80 or 85 of these clauses are necessary. After all, Government is the representative of public interest. Government represents the interests of the community and as such, it should be armed with powers and enabled to step in in cases where gross abuse exists. But, after all, how does Government function in these matters? Government can function only through a department. Here, I would like to add that we believe that such officials as Government may entrust with the task of administering this law in this Department could be men of integrity, and could be just as able and just as efficient as we can desire. Even then, the fact remains that these officials will be taking decisions, and they would not be, naturally, responsible to the shareholders, while their decisions would have to be carried out by the managing agents and directors, who would in their turn be responsible to the shareholders. And in the nature of things, we do not expect Government officials to be responsible to the shareholders. But the other fact remains just the same. I am, therefore, opposed to giving such wide powers to the executive without proper checks.

I also would urge that in specified matters, the decisions of Government should be subject to appeal in a court of law. We may fear the excesses of managing agents. But we must also avoid the risk of indiscretion by an uncontrolled executive. I would, therefore, urge upon this House to insist on proper safeguards by providing that at least in a few specified cases, there should be provision for the decisions being subject to appeal in a court of law.

I now come to some of these provisions in which unnecessary rigidity has been introduced. I am referring first to clause 197. This clause provides that the minimum remuneration should not exceed Rs. 50,000. Why do we have this clause at all? Why do we need it? It is claimed that ninety per cent of the companies are small and would be covered by this limit of Rs. 50,000. Very well, then they do not need this limit. Then, that leaves ten per cent of the companies. These ten per cent also are going to be companies to which this limitation is not going to be applied outright. Their cases are going to be considered on merit; cases of what they call *bona fide* hardship are going to be considered by Government, and the limit relaxed. So then, where is the fun in having such a very rigid clause, which for ninety per cent of the companies is not needed and which for the remaining ten per cent is not going to be applied and is going to be relaxed after consideration by Government of *bona fide* hard cases.

Shri Barman (North Bengal—Reserved-Sch. Castes): May I ask the hon. Member whether he has changed his mind since the submission of the Joint Committee's report? These are changes that he is pointing out after the submission of that report. The hon. Member was himself a Member of the Joint Committee.

Shri V. B. Gandhi: Am I not free to express myself? I hope I am. We are all in favour that the managing agents should be prevented from having excessive rumeneration.

Mr. Deputy-Speaker: As far as possible, it is expected that hon. Members who are parties to the Joint Committee's report, and who have not appended any minutes of dissent, will stand by their recommendations, unless it be a matter of very minor importance. Matters of this kind which are very important, namely whether there should not be a minimum or a maximum, that it is neither useful to the one nor harmful to the other, etc. ought to have been raised there, in order to give an opportunity to the House as a whole to appreciate, accept or reject that kind of recommendation now.

Shri V. B. Gandhi: I shall try to moderate my thoughts. As I said, we are not against limiting it.

Mr. Deputy-Speaker: I am not here to give any directions in this regard, but normally the House will expect hon. Members who have given certain recommendations to the House through the Joint Committee to stand by those recommendations, and to say as to why in the face of opposition, these recommendations have been made by them. That side must be placed before the House by them. It is open to other hon. Members who have appended minutes of dissent to say as to why their view ought to be accepted. It is for the other hon. Members to accept or not to accept.

Shri Kamath (Hoshangabad): He might have changed his mind since then.

Shri V. B. Gandhi: I wholeheartedly support the principle of limiting this remuneration. My only plea is whether without being so rigid as we appear to be in clause 197 we could not do it in some other way.

Shri S. S. More: My question is this. Did the hon. Member raise this point before the Joint Committee?

Shri V. B. Gandhi: What I am suggesting is that it would be interesting to see if we could not do that through clause 325 (2) (b). I shall read out the relevant portion of that clause. Without being rigid, Government have the power, and could have the power, and my suggestion is that we could perhaps use this. Clause 325 reads like this:

> "In respect of any company.... a managing agent shall not be appointed or re-appointed,—
>
> (a).....
>
> (b) unless the approval of the Central Government has been obtained for such appointment or reappointment."

In sub-clause 2(b), we have further this provision, namely:

> "The Central Government shall not accord its approval under sub-section (1) in any case, unless it is satisfied—
>
> (a) .....
>
> (b) that....the conditions of the managing agency agreement proposed are fair and reasonable;...".

Here, probably Government could have an opportunity to regulate this remuneration question, without having a rigid provision as in clause 197.

I would say just the same thing about clause 331 also. It is also rigid, and it is going to present difficulties. It provides that a person cannot hold office as managing agent in more than ten companies. The problem is definitely going to be of too many, too few, too large and too small. In some cases, ten would prove to be too many; in some other cases, ten would prove to be too few. There may be companies which are too large to be taken up in ten, and all that. After all, the question has to be decided on the ability and capacity of the managing agents. And when we measure this capacity, we have to consider the kind of staff the managing agent has, the organisation, the experience that he has, the finance at his command and the credit he has in the market. Here also, my plea is that Government could see if they could not bring about this very desirable limitation by other means. Here again, let me repeat that I am in favour of limiting the number of managing agencies that a person could hold. But I suggest that by exploring the possibilities of using the power under clause 325 (2) (b), Government could do it without this rigid limit of ten. They could say to a managing agent, 'You can manage only five companies, considering the size of these companies, or considering the size of your organisation, or considering the level of your finance and credit, and so on'.

Now, I come to the question about the managing agency. We, of course, are free to end the managing agency system, if we so choose. But can we do it now? I am sure we all agree that we can hardly do so now (*Interruptions*). Suppose we have a man in our service whom we have decided to dismiss after some time. Now,

we do not say to him, 'you are dismissed. Now go on and do your work and show your best results'. We do not do that. We just keep our decision to ourselves and communicate it to him at the proper time. I think it is a little premature for us to start talking about ending the system, if we are not sure that we can really.....

Shri S. S. More: Does that mean that Government have already decided the time by which managing agency would be liquidated, and they are only keeping it secret for the purpose of not offending the managing agents? That is the suggestion made by the hon. Member.

Shri V. B. Gandhi: Whatever I say, does not bind the Government.

Mr. Deputy-Speaker: Every hon. Member who sits on that side does not speak on behalf of Government.

Shri V. B. Gandhi: Now, we know that managing agencies still have work to do for us. Here there are 900 crores of rupees of the people's money invested in 29,000 companies. Now, their work has to be carried on. And let us not forget that the work is increasing. Every year about a thousand more new companies are being registered and about Rs. 50 crores annually, on the average, are being invested. Now, this work cannot be let down and we cannot end the system unless we have an alternative system of management ready and available at hand. That is not all. In our Second Five Year Plan, we are putting additional work to be done by the private sector. Here we say that of the total investment of Rs. 2200 crores, in the private sector so much has to be done. Out of Rs. 2200 crores, about Rs. 500 crores are expected to be invested in industry, mining and transport, and that probably will have to be done through the agency of joint stock companies, and, therefore, also through the agency of managing agents. If we expect all this work to be carried on by the joint stock company system as a whole, I do not know if it is part of wisdom to start shouting about ending this system at this stage. I say again that we are free to end it, if we choose to do so. I do say that the managing agency system is not indispensable, it can be replaced. The question is whether we are in a position to replace it today. In this Bill, we have provided an alternative form of management, in the shape of secretaries and treasurers. In my view, this new form of management is really not much different from the managing agency system. It is almost the same thing under a new name. But let us not quarrel over names and phrases.

Then I would say a word about the recommendation of the Company Law Committee for a separate statutory authority. The Company Law Committee has recommended a seperate statutory authority. The Joint Committee has not, of course, accepted it. What is the alternative to a separate statutory authority? The alternative clearly is a government department. Now, such a department has already been created, and a government department, to carry on the administration of joint stock companies, is something which we can understand as logical. But then also we find that the old Advisory Commission is being retained. I do not understand why this Advisory Commission is being retained. How is it going to be very different from a section of the department or from a research section or inquiry section of the department, if they were to create one such? Because after all, the value that can be attached to the reports or the results of the inquiry of such a research section or inquiry section of the department would not be very different from the value that they are likely to attach to the reports or the results of the inquiries made by the Advisory Commission. So it is just a meaningless appendage, as it is, and I do not see why this department should be asked to stand on two stools.

Mr. Deputy-Speaker: I have already given the hon. Member 30 minutes.

Shri V. B. Gandhi: May I have five minutes more?

Mr. Deputy-Speaker: Yes, Therefore, I must ring the bell ten minutes earlier.

Shri V. B. Gandhi: Thank you I am very appreciative.

Shri S. S. More: We are discussing company law. Some bargaining must be permitted.

Shri V. B. Gandhi: Again I say that a statutory authority can give expert attention to all these problems. It can give objective consideration to all the problems that come before it. It is said that the administration of joint stock companies involves consideration of questions of policy. When that is said, I am afraid they are hardly convincing. The policy has already been taken into consideration when this particular shape was given to this Bill. Now, the Bill is there, it has been passed, and it will be the duty either of the department of the Government or of the statutory commission to carry out the provisions of the Act. So I do not think that that is a very valid objection to having this administration entrusted to a separate statutory commission. Since the Government have not accepted this recommendation of the Company Law Committee for a separate statutory commission, I would suggest that this House should insist on a provision that we should make the decisions of the department, as I said, in certain specified matters subject to appeal in a court of law.

Then I will just say briefly that the definition of 'Government company' deals only with companies which have a share capital of 51 per cent subscribed from government funds. What I would say is that there would be companies in which 51 per cent and more of government funds would be invested not in the form of share capital but in the form of, say, debentures, loans and various other kinds of assistance. There would also be companies in the form of government-owned corporations such as the new development corporations—fully government-owned—which are going to be started. These corporations may make loans and advances to companies which would make more than 50 per cent of share capital. Shouldn't they be brought under the scope of this provision so that the other provisions and requirements may be applicable to them? Therefore, I would suggest that this question should be considered and the definition may be made more comprehensive.

Finally, the provisions on this subject are not very clear about the duty to be laid on Government to place before this House the comments and any supplementary reports which the Comptroller and Auditor-General may have to make on these government companies. That should be made very clear and obligatory, and there should be no doubt about it. It will also be necessary to give powers to the Comptroller and Auditor-General of India to have access to accounts and to papers of these government companies. No such provision seems to be there in the clauses that are before us.

With these shortcomings, the Bill is, by and large such as should receive the support of the House.

श्री कृष्ण चन्द्र (जिला मथुरा पश्चिम): ज्वायंट स्टाक कम्पनी विधेयक इस भवन में कई रोज से चल रहा है। ज्वायंट स्टाक कम्पनी इस देश में अपना एक बहुत बड़ा महत्व रखती है। आज हम देखते हैं कि देश के रोजगार, उद्योग और धंधे, प्रायः सभी बड़े बड़े रोजगार, चाहे वह व्यापार हों या उद्योग हों, सब के सब जायंट स्टाक कम्पनी के द्वारा ही संचालित हो रहे हैं। ज्वायंट स्टाक कम्पनी एक तरह से रोजगार और उद्योग को चलाने का एक नया संगठन है। आज संसार में और हमारे इस देश में जैसे उद्योगों का विकास होता गया, व्यापार बढ़ता गया उसी तरह से यह ज्वायंट स्टाक कम्पनी का नया तरीका व्यापार और उद्योगों के संगठन के लिये संसार में आया। बहुत से

लोग इस संगठन के अन्दर अपने रोजगार को बढ़ाने के लिये या उद्योगों को कायम करने के लिये शरीक होते हैं, और आज ज्यादातर रोजगार इसी तरीके पर चल रहे हैं। इस संगठन को बनाने के लिये लोगों का संगठन किया जाय, उन्हें इकट्ठा किया जाय और किसी रोजगार की, व्यापार की या उद्योग की योजना बनाई जाय, उस योजना को लोगों के सामने रक्खा जाय, उस में उन की रुचि आकर्षित की जाय और तब उन को उन में शरीक किया जाय, इन सब के लिये इस संगठन को खड़ा करने के लिये किसी एजेन्सी की जरूरत है जो कि उस को चलाये। आज तक मैनेजिंग एजेन्ट्स इस का संचालन करते रहे हैं। कुछ लोग मैनेजिंग एजेन्ट बनते हैं, वही तमाम व्यापार या उद्योग की योजना तैयार करते हैं। उस में यह बताते हैं कि इस तरीके से काम किया जायेगा और यह मुनाफा होगा, वह उस योजना को लोगों के सामने रखते हैं और लोगों का ध्यान उस की तरफ आकर्षित करते हैं, उन को शरीक करते हैं और इस तरह से मैनेजिंग एजेन्सी रोजगार खड़ा करती हैं और संगठन बनाती हैं। उस के बाद जब रोजगार चालू हो जाता है तब उस रोजगार की व्यवस्था भी वही मैनेजिंग एजेन्सी करती हैं। इस तरह से अगर देखा जाय तो यह मैनेजिंग एजेन्ट्स इस देश में ही नहीं बल्कि संसार में उद्योगों और रोजगारों को बढ़ाने में बहुत बड़ा हाथ रखते हैं। जैसे जैसे समय बढ़ता गया और जमाना तरक्की करता गया, दूसरे देशों में और और तरीके निकलते गये जो मैनेजिंग एजेन्सी से बेहतर थे। जैसा कहा जाता है और देशों में अमरीका या ब्रिटेन में मैनेजिंग एजेन्सी का तरीका अब प्रायः इस्तेमाल नहीं होता क्योंकि वहां पर दूसरे तरीके इस्तेमाल हो रहे हैं, उसी तरह से हमारे इस कानून के अन्दर भी कई तरीके दिये गये हैं जिन तरीकों से कि कम्पनियों का संचालन किया जा सकता है, कम्पनियों को खड़ा किया जा सकता है और आगे जा कर कम्पनियों का इन्तजाम किया जा सकता है। आज जो कम्पनी ला हमारे सामने हैं, उस में कई तरीके दिये हुए हैं। एक तरीका है मैनेजिंग एजेन्ट्स का, दूसरा तरीका है, ट्रेजरर्स व सेक्रेटरीज का यह नया तरीका इस बिल में रक्खा गया है, तीसरा तरीका मैनेजिंग डाइरेक्टर्स का अब तक चलता रहा है, मैनेजर का भी तरीका है। इस तरह से तीन चार तरीके इन कम्पनियों का संचालन करने के लिये हमारे इस बिल में मौजूद हैं। किसी भी तरीके को इस्तेमाल कर के कम्पनी को खड़ा किया जा सकता है और आगे जा कर उस का संचालन किया जा सकता है, लेकिन सोचने की यह बात है कि जब कई तरीके हमारे सामने हैं तो जो लोग कि उस कम्पनी को खड़ा करने का विचार अपने मन में लाते हैं और वह ज्यादातर वह होते हैं जिन को व्यापार का और उद्योग का कोई अनुभव होता है, आज कल जो करोड़ों आदमी व्यापारों या उद्योग धंधों में लगे हुए हैं, वह पूंजीपति या सेठ साहूकार लोग हैं, वही कम्पनियों को खड़ा करते हैं, उन ही के दिमाग में यह खयाल आता है कि इस किस्म का रोजगार किया जाय, तो जब उन के दिमाग में कम्पनी को खोलने का खयाल आयेगा तो इस बिल के कानून बन जाने के बाद उन के सामने तीन चार तरीके रहेंगे। वह सोचेंगे कि इन तीन चार तरीकों का इस्तेमाल कर के हम कम्पनी को खड़ा कर सकते हैं और आगे चल कर उस का संचालन कर सकते हैं, तब कुदरती बात है कि जब कोई रोजगारी किसी काम को चलाने के लिये खड़ा होता है तो वह यह देखता है कि किस तरीके से हमारा सब से ज्यादा मुनाफा होगा, किस तरीके से ऊंचा मुनाफा होगा और सहूलियत मिलेगी। वह उसी तरीके को इस्तेमाल करेगा। जो भी हम ने तरीके इस कानून में रक्खे हैं वह उन में से किसी को इस्तेमाल कर सकता है अपनी कम्पनी का इन्तजाम करने के लिये। हम ने सरकार को यह भी अधिकार दिया है कि सरकार आगे चल कर १९६० में यह भी तय कर सकती है कि इन कुछ निर्धारित उद्योगों के अन्दर जो कम्पनीज रहेंगी उन में मैनेजिंग एजेन्सी

[श्री कृष्ण चन्द्र]

का तरीका नहीं होगा बल्कि दूसरा तरीका होगा, ट्रंजरर का या मैनेजिंग डाइरेक्टर का या कोई दूसरा तरीका। तो जब सरकार वहां पर यह तय कर देगी कि मैनेजिंग एजेन्सी का तरीका नहीं होना चाहिये, तब बात दूसरी है. लेकिन जब तक किसी उद्योग के लिये यह तय नहीं किया जाता है तब तक कुदरती बात है कि जिस तरीके में सब से ज्यादा मुनाफा दिखाई देता है वही तरीका हर कोई इस्तेमाल करेगा। इस वास्ते जैसा कि कहा जाता है कि हम ने आज तक कोई तरीका कम्पनी के इस्तेमाल के लिये दूसरा नहीं निकाला, जब तक हम कोई बेहतर तरीका कम्पनियों के संचालन के लिये न निकाल लें तब तक हमारा इस मैनेजिंग एजेंन्सी के तरीके को खत्म कर देना बहुत अच्छा नहीं होगा, क्योंकि उस से हमारे रोजगार खत्म हो जायेंगे। आज जो उद्योग धंधे चल रहे हैं वह भी खत्म हो जायेंगे। यह सभी तरीके अपने स्थान पर काफी महत्व रखते हैं, लेकिन जब हम देखते हैं कि कई तरीके हमारे सामने हैं तो जो तरीका कि सब से बड़े मुनाफे का होगा, जिस तरीके में हमें सब से ज्यादा मुनाफा हो सकता है, जिस तरीके में हमें सब से ज्यादा सहूलियत हो सकती है, जिस तरीके से मैनेजिंग एजेंट्स को, जो कि कम्पनी को चलाने वाले हैं, सब से ज्यादा मुनाफा कमाने का मौका मिल सकता है, और जब तक कि वह तरीका मौजूद रहता है, तब तक कुदरती तौर पर जो लोग कम्पनी को चलाने वाले होंगे वह उसी तरीके को अपनावेंगे। जब तक हम मैनेजिंग एजेन्सी के तरीके को निकाल नहीं देंगे, तब तक लोगों का ध्यान दूसरे तरीकों की ओर आयेगा ही नहीं। यह जो कहा जाता है कि हम ने कोई रास्ता नहीं निकाला, हम ने कोई दूसरा तरीका नहीं निकाला, उस के सम्बन्ध में मेरा विनीत निवेदन यह है कि जब तक हम मैनेजिंग एजेन्सी सिस्टम को चालू रक्खेंगे, जब तक लोगों के सामने यह रहेगा और वह उस का इस्तेमाल कर सकेंगे, उन के लिये खुला हुआ रास्ता रहेगा, तब तक किसी दूसरे तरीके में लोगों की रुचि नहीं हो सकती है क्योंकि वह उस तरीके को जिस में उस को ज्यादा सहूलियत है, ज्यादा मुनाफा है और इन्तजाम भी जिस में अच्छा हो सकता है, छोड़ने को तैयार नहीं होगा क्योंकि वह मनुष्य का स्वभाव है, मनुष्य की प्रकृति है कि जो मुश्किल तरीका है, जिस में उस का लाभ कम है, उस की आजमाइश करे। हम ने कितने ही प्रतिबन्ध इस मैनेजिंग एजेन्सी सिस्टम पर लगाये हैं, हम ने इन प्रतिबन्धों को लगा कर यह कोशिश की है कि मैनेजिंग एजेन्ट्स को जो अपने अधिकारों का दुरुपयोग करते रहे हैं और जिन की वजह से मैनेजिंग एजेन्सी काफी बदनाम हुई है और जिन की वजह से लोगों का तीव्र विरोध उन के खिलाफ उठा है, उन के उन तरीकों को हम बन्द कर दें। इस बिल में कितने ही तरीके हैं कितनी ही व्यवस्थायें हैं कि जिन के जरिये से मैनेजिंग एजेंट्स जो खराब तरीके अख्तियार करते हैं उन को बन्द किया जा सके। अब मैं उन प्रतिबन्धों का जिक्र करूंगा कि जिन से खराबियां दूर करने की व्यवस्था बिल में रखी है। पेशतर इस के कि मैं उन का जिक्र करूं मैं यह बात कह देना चाहता हूं कि जिस वक्त यह बिल हमारे सामने पहले पहल पेश किया गया था उस वक्त इस बिल में बहुत सी खराबियां थीं, बहुत सी कमियां थीं------

श्री कामत : अभी भी हैं।

श्री कृष्ण चन्द्र : हां अब भी हैं। जब यह बिल ज्वायंट सिलेक्ट कमेटी के सामने गया और ज्वायंट सिलेक्ट कमेटी के मेम्बरान ने जो इस में मेहनत की है, परिश्रम किया है, मनन किया है उस ने इस को बहुत करके सुधार कर इस हाउस के सामने पेश किया है। जो कमियां पहिले बताई गई थीं, जो खामियां बतलाई गई थीं, उन पर इस कमेटी ने विचार किया और काफी इस बिल को दुरुस्त करने की कोशिश की है और अब जो बिल

हमारे सामने आया है वह बिल पहले बिल से काफी सुधरा हुआ है। आज इस में बहुत कम कमियां रह गई हैं और अब जो कमियां दिखलाई देती हैं वह ऐसी कमियां हैं कि जिन के बारे में मतभेद हो सकता है। पहले जो कमियां थीं वह साफ तौर से मालूम पड़ती थीं लेकिन अब ज्वायंट सिलेक्ट कमेटी ने उन्हें बहुत कुछ दूर कर दिया है।

पहली बात जो इस बिल में रखी गई है वह यह है कि मैनेजिंग एजेंट्स का जो रिम्युनरेशन है उस की एक सीमा निश्चित कर दी गई है। यह रिम्युनरेशन चाहे वे मुनाफे के किसी भाग के रूप में लें, चाहे बीजक के तौर पर लें उसकी सीमा धारा ९६७ में निश्चित कर दी गई है। यह सीमा १० फीसदी निश्चित कर दी गई है और कोई इस से ज्यादा नहीं ले सकता है। यदि कोई मैनेजिंग एजेंन्ट अपनी मातहती में कोई मैनेजर रखकर कम्पनी का इंतजाम कराये और उस को तनख्वाह दे तो यह व्यवस्था रखी गई है कि मैनेजर आदि की तनख्वाहों को शामिल कर के और मैनेजिंग एजेंट्स के मुनाफे को शामिल कर के कम्पनी के मुनाफे से ११ फीसदी से ज्यादा नहीं लिया जा सकेगा। दो तरीकों से सीमा निर्धारित कर दी गई है। इस में एक खामी रह गई है और वह यह है कि इस में कोई व्यवस्था ऐसी होनी चाहिये कि जिस से गवर्नमेंट को यह अख्तियार दिया जाए कि वह इस ११ फीसदी और १० फीसदी की सीमा के अन्दर रहते हुए हर कम्पनी के लिए या हर उद्योग के लिए या तो उनकी पूंजी के ऊपर या उन के मुनाफे के ऊपर किसी तरह की सीमा और लगा दे। अगर ऐसा हुआ तब तो यह जो हमारी सीमा है अच्छी तरह से काम करेगी। एक कम्पनी दो करोड़ रुपये की लागत से चल रही है, बहुत बड़ा काम कर रही है, दस बीस लाख का मुनाफा कमा रही है उस के लिए भी ११ फीसदी की सीमा और जो कम्पनी दो लाख की पूंजी से चल रही है, बहुत थोड़ा मुनाफा कर रही है, उस के लिए भी ११ फीसदी की सीमा, यह उचित नहीं। इस के बारे में इस बिल में कुछ न कुछ प्राविजन होना चाहिये।

इस बिल के अन्दर गवर्नमेंट को यह भी अख्तियार दिया गया है कि अगर शेयर होल्डर्ज चाहें और वह गवर्नमेंट के पास इस किस्म की कोई दरख्वास्त दें कि कम्पनी का इंतजाम गलत तरीके पर चल रहा है, कम्पनी के इंतजाम से, मैनेजिंग एजेंट्स के तौर तरीके से कुछ शेयरहोल्डर्ज को नुकसान पहुंच रहा है तो गवर्नमेंट को यह अख्तियार होगा कि वह सारे मामले को इन्वेस्टिगेट करा सकती है और अपने इन्स्पेक्टर मुकर्रर कर सकती है। इस के अलावा अगर गवर्नमेंट को इस बात का इत्मिनान हो जाए कि कम्पनी गलत तरीके से चल रही है तो अपने आप भी वह उस के मामलों की तहकीकात करवा सकती है। मैं मानता हूं कि यह एक बहुत अच्छी चीज है। लेकिन इस के बारे में एक चीज जो मैं अर्ज करना चाहता हूं वह यह है कि इस में एक पाबन्दी लगा दी गई है कि अगर १० फीसदी शेयरहोल्डर्ज दरख्वास्त करें, उस कम्पनी के जितने भी शेयरहोल्डर्ज हैं उन का दसवां हिस्सा अगर गवर्नमेंट को दरख्वास्त दे तभी गवर्नमेंट तहकीकात करवा सकती है वरना नहीं। मैं यह चाहता हूं कि इस बिल में यह रख दिया जाए कि अगर गवर्नमेंट समझे कि शेयरहोल्डर्ज की शिकायत काफी हद तक ठीक मालूम होती है और उन शिकायतों को देखते हुए अगर गवर्नमेंट मुनासिब समझे तो थोड़ी तादाद भी अगर शेयरहोल्डर्ज की हो तो उस सूरत में भी गवर्नमेंट इन्वेस्टीगेशन का हुक्म दे सकती है।

इस बिल में एक बात यह भी की गई है कि एक सीमा लगा दी गई है कि एक मैनेजिंग एजेंट १० कम्पनियों से ज्यादा का मैनेजिंग एजेंट नहीं रह सकता। यह बहुत बड़ी चीज है। आज तक जो कानून था उस में यह था कि

[श्री कृष्ण चन्द्र]

एक मैनेजिंग एजेन्ट चाहे जितनी कम्पनियों का मैनेजिंग एजेंट बन सकता था। उस पर ऐसा करने के लिए कोई रोक नहीं लगाई गई थी। कितनी ही कम्पनियों के कुछ लोग मैनेजिंग एजेंट हो सकते थे। इस बिल में पहली दफ़ा इस किस्म की सीमा बांधी गई है। इस में इसके अलावा एक और भी चीज की गई है और वह यह कि मैनेजिंग एजेंट्स के जो एसोसियेट्स होते हैं उन को भी डिफाइन कर दिया गया है। इस से पहले ऐसा भी होता था कि कुछ मैनेजिंग एजेंट अपने आप तो कुछ कम्पनियों के मैनेजिंग एजेंट बन जाते थे और इस के अलावा कई और कम्पनियों का काम ले लेते थे जिन में कि उन का सीधा तो कोई हाथ नहीं होता था लेकिन किसी तरीके से उन का मुनाफा भी उन के पास आ जाता था। इस तरह से वे कितनी ही कम्पनियों का इंतजाम सम्भाल लेते थे। अब ऐसा नहीं हो सकेगा। इस बिल में एसोसियेट की भाषा काफी विस्तृत तौर पर लिख दी गई है ताकि कोई गुंजाइश न रहे और वे इस का उल्लंघन न कर सकें। यह बहुत अच्छी चीज है। मैनेजिंग एजेंट्स जो काबिल होते हैं, अपनी काबलियत से, अपनी योग्यता से, अपने प्रभाव से वे कम्पनी को चलाते हैं, उसका इंतजाम करते हैं, उसको मुफीद बनाते हैं, उसको फायदे की चीज बनाते हैं। अब तक ऐसा हुआ करता था कि यह मैनेजिंग एजेंट्स पहले से ही यह शर्त कर लिया करते थे कि उन के लड़के और उन के पोते उन के बाद उन के उत्तराधिकारी होंगे। इस तरह से जो मैनेजिंग एजेंट हुआ करते थे वे बराबर मैनेजिंग एजेंट ही चले आते थे क्यों कि उन के बाद उन के लड़के और उन के पोते काम को सम्हाल लिया करते थे। लेकिन इस कानून के अन्दर यह तय कर दिया गया है कि आइंदा के लिए उन के लड़के और उन के पोते, चाहे उन्होंने कितना ही अच्छा काम क्यों न किया हो, उन के उत्तराधिकारी नहीं हो सकेंगे और केवल इसी बिना पर मैनेजिंग एजेंट नहीं बन सकेंगे।

जो कर्जे मैनेजिंग एजेंट्स को दिए जाते हैं उन के बारे में भी इस बिल में काफी सख्त पाबन्दी, बड़े प्रतिबन्ध लगा दिये गए हैं। जो प्रतिबन्ध रखे गए हैं वे ऐसे हैं जिन के बारे में जहां तक अक्ल काम करती है उन प्रतिबन्धों को टाला नहीं जा सकता है, उन का कंट्रवेंशन नहीं किया जा सकता है, घुमा फिरा कर उन को तोड़ा नहीं जा सकेगा।

2 P.M.

इस में यह प्रतिबन्ध भी रख दिया गया है न सिर्फ मैनेजिंग एजन्ट बल्कि उनके एसोशिएट, रिश्तेदार, दूर के रिश्तेदार, उनके साथ मुनाफा कमाने वाले शरीक कोई भी अगर कर्जा लेंगे, तो उनको नहीं दिया जायगा। इसके अलावा अब तक यह होता रहा है कि कम्पनी से कर्जा नहीं लिया, दूसरी जगह से ले लिया और कम्पनी की जमानत दे दी। अब यह प्रतिबन्ध लगा दिया गया है कि कम्पनी से भी कर्जा नहीं लिया जा सकता है और अगर कोई दूसरा कर्जा दे, तो कम्पनी जामिन भी नहीं होगी।

अब तक यह व्यवस्था थी कि मैनेजिंग एजेन्ट्स को अख्तियार था कि वे अपने डायरेक्टर्ज मुकर्रर कर दें, क्योंकि मैनेजिंग एजेन्ट्स के ऊपर डायरेक्टर्ज रहते थे---मैनेजिंग एजेंट्स बोर्ड आफ डायरेक्टर्ज के आधिपत्य में रहते हुए अपना काम करते थे। मैनेजिंग एजेन्ट्स को पूरे अख्तियारात थे, लेकिन बोर्ड आफ डायरेक्टर्ज का उन के ऊपर कंट्रोल रहता था। अब तक मैनेजिंग एजेन्ट्स को अख्तियार था कि वे एक तिहाई डायरेक्टर्ज खुद मुकर्रर कर दें और दो तिहाई जेनरल मीटिंग में मुकर्रर हो जायें। इस पर भी अब प्रतिबन्ध लगा दिया गया है। अब यह कर दिया गया है कि वे एक तिहाई या दो, इसमें जो भी ज्यादा हो, डायरेक्टर्ज मुकर्रर कर सकते हैं। वे एक तिहाई मुकर्रर कर सकेंगे और या दो-दो से ज्यादा मुकर्रर नहीं कर सकेंगे।

गवर्नमेंट को यह भी अख्तियार दिया गया है

कि अगर वह देखे कि किसी कम्पनी में बड़ी बदइन्तजामी हो रही है और मैनेजिंग एजेन्ट्स ने बड़ी धांधलेबाजी कर रखी है, तो शेयरहोल्डर्ज के हितों की रक्षा करने के लिए उनमें से अपनी तरफ से दो डायरेक्टर्ज मुकर्रर कर सकती है।

इन पाबन्दियों के रहते हुए उम्मीद तो यह की जाती है कि आईन्दा मैनेजिंग एजेन्ट्स की धांधलेबाजी, उनके गलत तरीकों में काफी कमी हो जायगी। जरूरी यह है कि इन प्रतिबन्धों को ठीक तरीके से इस्तेमाल किया जाय और उम्मीद है कि किया जायगा। यह प्राविजन भी रखा गया है कि अगर इसके बाद भी ये खामियां, ये खराबियां दूर न हों, तो गवर्नमेंट को अख्तियार होगा कि वह १९६० के बाद तय करे कि इन उद्योगों में मैनेजिंग एजेन्सी सिस्टम नहीं रहेगा। यह काम धीरे धीरे किया जायगा।

इसके साथ ही साथ सेक्रेटरीज और ट्रेजरर्ज के बारे में भी प्राविजन है। मैं अर्ज करना चाहता हूं कि सेक्रेटरीज और ट्रेजरर्ज का जो नया रूप बनाया गया है, उसमें और मैनेजिंग एजेन्ट्स के रूप में कोई ज्यादा भेद नहीं है। एक गया और दूसरा आया। चेहरे-मोहरे में फर्क हो गया, लेकिन आदमी वही रहते हैं। सेक्रेटरीज और ट्रेजरर्ज कोई आदमी नहीं हो सकता है। जिस तरह मैनेजिंग एजेन्ट्स कोई फर्म ही हो सकती है---वह कार्पोरेट हो या इनकार्पोरेट---, उसी तरह सेक्रेटरीज और ट्रेजरर्ज के लिए भी रख दिया गया है कि वे भी फर्म्ज ही होंगे, कोई व्यक्ति नहीं होंगे। ऐसा नहीं हो सकता है कि कोई व्यक्ति अपने नाम से सेक्रेटरी या ट्रेजरर हो जाय। वह तो सिर्फ फर्म ही हो सकती है----चाहे वह कार्पोरेट हो या इनकार्पोरेट। मैनेजिंग एजेन्ट्स में जो बात थी, वही सेक्रेटरी और ट्रेजरर में रखी गई है। कोई अच्छा आदमी कितनी ही काबिल और होशियार क्यों न हो, कम्पनी को अख्तियार नहीं कि वह उसको सेक्रेटरी या ट्रेजरर बना दे---वह तो कोई व्यापारिक फर्म ही हो सकती है। उसके लिए भी वही अख्तियार रखे गए हैं, जो कि मैनेजिंग एजेंट्स के थे। हमारे बिल में लिखा गया है कि सेक्रेटरी और ट्रेजरर को भी कुछ को छोड़ कर सब वही अख्तियार मिलेंगे। सिर्फ यह फर्क किया गया है कि मैनेजिंग एजेंट्स के मुनाफे की सीमा जहां दस परसेंट से ज्यादा नहीं हो सकती है, वहां सेक्रेटरीज और ट्रेजरर्ज का मुनाफा साढ़े सात परसेंट से अधिक नहीं हो सकता। एक बात और कर दी गई है सेक्रेटरीज और ट्रेजरर्ज डायरेक्टर्स मुकर्रर नहीं कर सकते हैं। यह उम्मीद की गई है कि सेक्रेटरीज और ट्रेजरर्ज मैनेजिंग एजेंट्स से ज्यादा बेहतर साबित होंगे। उनमें वे खराबियां और खामियां नहीं रहेंगी। उनके सामने इतने टेम्पटेशन्ज नहीं रहेंगे। वे इतने नहीं गिरेंगे जितने कि मैनेजिंग एजेंट्स गिरते हैं। इन दो बातों को छोड़ कर, जिनका कि मैं ने अभी जिक्र किया है, उनके अख्तियार भी वही रहेंगे, जो कि मैनेजिंग एजेंट्स के हैं। मैनेजिंग एजेंट्स को अख्तियार था कि वे पहले से इकरारनामा कर सकते हैं, पहले से शर्त कर सकते हैं। सेक्रेटरीज भी यह कह सकेंगे। जब सारे अख्तियारात वही हैं, तो इतने थोड़े से फर्क करने से सेक्रेटरीज और ट्रेजरर्ज उतने ही गलत साबित हो सकते हैं, जितने कि आज तक मैनेजिंग एजेंट्स हुए हैं। मैं यह अर्ज करना चाहता हूं कि यह सब निकाल कर हम मैनेजर रख सकते थे, कोई अच्छे, ईमानदार और होशियार व्यक्ति रख सकते थे, जिन पर जिम्मेदारी डाली जा सकती थी। या फिर मैनेजिंग डायरेक्टर रख सकते थे। जैसा कि मैंने पहले भी अर्ज किया है, जब तक हम कम्पनी के संचालन के लिए कई तरीके रहने देंगे तो उनमें से जो फायदामंद दिखाई देंगे उसीका इस्तेमाल होगा। हम जानते हैं कि अब तक भी हमारे सामने मैनेजर का तरीका था। मैनेजिंग डायरेक्टर का तरीका था, लेकिन जितने भी बड़े बड़े रोजगार चल रहे हैं, बड़ी बड़ी कम्पनियां चल रही हैं, उनमें ज्यादातर मैनेजिंग एजेंसीज ही दिखाई दे रही हैं और दूसरे तरीके नहीं दिखाई दे रहे हैं। क्योंकि वही तरीका सब से अधिक लाभकारी था।

[श्री कृष्ण चन्द्र]

अब मैं को-आपरेटिव का कुछ जिक्र करूंगा। व्यापार और उद्योग को चलाने का एक तरीका ज्वायंट स्टाक कम्पनी का है और दूसरा अब को-आपरेटिव सोसायटी का है। इसमें सब का सहयोग ले कर, सब के मफाद में, सब के हित में रोजगार को चलाना, समाज के हित में रोजगार को चलाना उद्देश्य है। को-आपरेटिव सोसायटीज का यही उद्देश्य रहा है। अव्वल तो हमारे यहां हर सूबे की सरकार को अख्तियार है कि वह को-आपरेटिव सोसायटीज के बारे में कानून बना सकते हैं, जो हमारे कानून इस संबंध में हैं, उनमें इतनी जबर्दस्त पाबन्दियां लगाई गई हैं, जिनके रहते हुए कोई आदमी को-आपरेटिव सोसायटी खड़ी नहीं कर सकता है। दूसरी तरफ ज्वायंट स्टाक कम्पनीज का संचालन करने वालों के रास्ते में इतनी सहूलियतें रखी गई हैं, उनके फायदे के इतने तरीके रखे गए हैं, कि कोई भी आदमी जायंट स्टाक कम्पनी खड़ी कर सकता है। ज्वाइंट स्टाक कम्पनी के लिए यह रखा गया है कि जितने शेयर होंगे, उतनी ही वोटें होंगी। वहां डिविडेंड की कोई सीमा नहीं बांधी गई है। इन्तजाम के तरीके दूसरे हैं। वे अपना इकरारनामा कर सकते हैं। मैनेजिंग एजेंट्स चाहे जितना फायदा रख सकते हैं। दूसरी तरफ को-आपरेटिव सोसायटीज की हालत देखिए। मान लीजिए कि मेरी तबियत है कि मैं एक को-आपरेटिव सोसायटी खड़ी करूं किसी ऐसे धंधे को चलाने के लिए, जिसमें सब लोगों का फायदा हो। उसमें पहले मुझे यह करना होगा कि मैं को-आपरेटिव सोसायटी की कोई स्कीम बनाऊंगा, चारों तरफ जाऊंगा, लोगों के सामने उसे रखूंगा, उसमें लोगों की रुचि उत्पन्न करूंगा ताकि वे उसमें शरीक हों। यह सब खर्च करूंगा, परेशानी उठाऊंगा। लेकिन बाद में मेरे पास कोई तरीका नहीं है कि मैं उस खर्चे का उचित कम्पेन्सेशन भी को-आपरेटिव सोसायटी से---जब वह चालू हो जाए--- ले सकूं। को-आपरेटिव सोसायटी को यह भी अख्तियार नहीं दिया गया है कि वह कोई नान-आफिशियल मैनेजर ही रख सके---वहां तो जो कोई मैनेजर रह सकता है, वह वन्स्वाहदार ही, एंड रह सकता है। पर जो आदमी इस काम के लिए खड़ा होगा उसको अपना खर्चा निकालने का कोई तरीका नहीं है। को-आपरेटिव सोसायटी को खड़ा करने के लिए और उसका संचालन करने के लिए और उसके जरिए से रोजगार और उद्योग चलाने के लिए आज काफी सहूलियतें नहीं हैं। यही वजह है कि यद्यपि हम देखते हैं कि हमारी सेंट्रल गवर्नमेंट और राज्य सरकारें यह चिल्ला रही हैं कि को-आपरेटिव सोसायटियों के जरिए रोजगार और खेती का धंधा चले मगर फिर भी असली रूप में आज हमारे देश में को-आपरेटिव सोसायटियां कामयाब नहीं हो रही हैं। उसकी वजह यही है कि को-आपरेटिव सोसायटीज का कानून इतना सख्त है कि किसी आदमी की हिम्मत नहीं होती कि वह उनके संचालन की जिम्मेदारी अपने ऊपर ले। इसलिए मैं समझता हूं कि हमको दोनों चीजों को साथ साथ सोचना चाहिए। ज्वाइंट स्टाक कम्पनीज को जो बहुत ज्यादा सहूलियतें मिली हुई हैं उनको एक तरफ कम करना चाहिए, वहां को-आपरेटिव सोसाइटियों को ज्यादा सहूलियतें मिलनी चाहिए। अगर ऐसा किया जाएगा तो हम देखेंगे कि काम करने वाले लोग सामने आवेंगे। लेकिन जब हम कोई रास्ता ही नहीं रहने देंगे तो कोई दूसरा रास्ता निकल ही नहीं सकता।

पंडित ठाकुर दास भार्गव: जो बिल हमारे सामने है मैं नहीं जानता कि मैं उसका खैर-मकदम करूं या उसके अन्दर जो खामियां हैं उनको देखकर उसका खैरमकदम न करूं। दरअसल मुझे अपनी नाकिस राय में यह जो बिल आया है इतने सारे सेक्शन्स के साथ, मुझे तो यह एक डरावनी सी चीज मालूम देती है, एक नई चीज मालूम होती है, एक नया तजर्बा मालूम होता है। मुझे यह रियालिटीज से बहुत दूर मालूम होता है।

यह तो सही है कि इतना जखीरा हमारे सामने आ गया है, जो कि इतना लम्बा चौड़ा है कि इसके सारे एस्पेक्ट्स पर बहुत ही कम मेम्बर रोशनी डाल सकेंगे। बेहतर होता कि यह इस तरीके से

न आता बल्कि जिस तरीके से कि सिविल प्रोसीज्योर कोड बना हैं उस तरह से बना होता और इसमें आर्डर्स वगैरा होते । अगर ऐसा होता तो शायद इस पर ज्यादा गौर हो सकता। इसमें बहुत से मामले ऐसे रह जाएंगे जिन पर इस हाउस में गौर नहीं होगा। मोटी मोटी बातों पर चर्चा हो जाएगी पर छोटी छोटी बातों पर किसी का ध्यान भी नहीं जाएगा।

मैं जो ज्यादा खराबी देखता हूं वह यह हैं कि जो हमारा मौजूदा ढांचा हैं उसको एक दम बदलने की कोशिश की गई हैं। अगर यह कोशिश कामयाब हो जाए तो बहुत मुबारक हैं, लेकिन अगर कामयाब न हो तो कोई ताज्जुब नहीं होगा। जनाब वाला, मुलाहिजा फरमाएंगे कि आज इस देश के अन्दर करीब २६००० कम्पनियां हैं। वह किस तरह से बनी हैं? वह इस तरह से नहीं बनी हैं कि शेयर होल्डर इकट्ठे हुए, उन्होंने एक मैनेजिंग एजेंट को ढूंढा और उनका आपस में मुआहिदा हो गया और काम शुरू हो गया। यहां पर तो आम तौर से छोटे छोटे हिस्सेदार तो सब बातों से वाकिफ नहीं होते और न सारी कानूनी बातों को जानते हैं। वे लोग अपने हकूक को भी नहीं जानते। यही बड़ी खराबी यहां हैं शेयर होल्डर कम्पनी में पूरा इंटरेस्ट ही नहीं लेते। इसलिए मैनेजिंग एजेंट लोग जो कि बहुत होशियार होते हैं और जिनके पास रुपए की भी ताकत होती हैं वही अब तक जितना प्राफिट होता रहा हैं उसकी मलाई खाते आए हैं। शेयर होल्डर को तो कुछ मिल गया तो मिल गया न मिल गया तो न मिल गया।

बहुत सी बातें इस हाउस में कही गई हैं और बहुत सी बातें रिपोर्ट में और मिनिट्स आफ डिस्सेंट में कही गई हैं जिनमें कि मैनेजिंग एजेंट्स को इतना काला पेंट किया गया हैं कि उनकी तरफ देखने को भी जी नहीं चाहता। इन सब को पढ़ कर ऐसा इम्प्रेशन होता हैं, ऐसा मालूम होता हैं कि मैनेजिंग एजेंट्स का एक ऐसा मजमुआ हैं जो सिवाय बेईमानी के, सिवाय खराबी के और सिवाय टैक्स इवेजन के कोई अच्छा तरीका काम में नहीं लाते। जिन अशख्वास ने नोट आफ डिस्सेंट दिए हैं वह कहते हैं कि इनको खत्म कर दिया जाए। इससे पहले भी कुछ कमीशन बैठ चुके हैं। जनाब वाला भी फिसकल कमीशन के मेम्बर थे। और भी कई कमीशन बैठे। उनमें भी यही कोशिश की गई कि मैनेजिंग एजेंट्स को खराब तरीके से पेंट किया जाए और उनको कंडेम किया जाए। मैं तो समझता हूं कि अगर यह चीज इतनी काली और खराब हैं तो इसको हमेशा के लिए खत्म कर दिया जाए। लेकिन न तो यह तस्वीर पसन्द की गई हैं और न यह दुरुस्त हैं। आज गवर्नमेंट के काम के बारे में सारे देश में चर्चा हैं कि करप्शन बढ़ रहा हैं और बहुत सी खराबियां बढ़ गई हैं, तो क्या हम गवर्नमेंट को उठाकर फेंक दें। अगर इस सिस्टम में कुछ निकम्मे आदमी हैं तो यह कोई वजह नहीं हैं कि हम इस सिस्टम को बिल्कुल काट कर फेंक दें। इसलिए मैं समझता हूं कि इस तरह के रैपिड चेंज अगर किए जाएंगे तो वे ज्यादा फायदेमन्द साबित न होंगे, खुसूसन आज जब कि हमारा प्लानिंग कमीशन चाहता कि एक बड़ी रकम प्राइवेट सेक्टर में इनवेस्ट हो। गवर्नमेंट चाहती हैं कि इस देश में इंडस्ट्रियलाइजेशन हो और इसके लिए कई सौ करोड़ रुपया देना चाहती हैं। तो मैं नहीं समझता कि ये दोनों बातें साथ साथ कैसे चल सकती हैं। एक तरफ आप चाहते हैं कि मैनेजिंग एजेंट खत्म हो जाएं, कोई इनकी तरफ न देखे, और दूसरी तरफ आप चाहते हैं कि अगले पांच वर्ष में इंडस्ट्रियलाइजेशन बहुत दूर तक चला जाए। अगर आप ऐसा चाहते हैं तो आपको चाहिए था कि आप इतने रैस्ट्रिक्शन न लगाते। आप इसको इतना परकैंच न करते कि वह थोड़ा बहुत भी उड़ न सके। अगर आप इनसे आगे काम लेना चाहते हैं तो आपको इनके इतने परकैंच नहीं करने चाहिएं। मुझे इस बिल में यह खराबी नजर आती हैं कि इसमें मैनेजिंग एजेंट्स पर बहुत ज्यादा पाबन्दियां लगा दी गई हैं। मैं ने शुरू में अर्ज किया हैं कि कम्पनियां किस तरह से बनती हैं। मैनेजिंग एजेंट जिनके पास अपने घर का कुछ रुपया होता हैं और जिनको स्किल होती हैं वे दो चार बड़े

[पंडित ठाकुर दास भार्गव]

शेयर होल्डर्स से मिलते हैं और लाख दो लाख रुपया इकट्ठा करके अपने नाम से कम्पनी शुरू कर देते हैं। और उनके नाम की वजह से वह कम्पनी कामयाब हो जाती है। जिन गरीब लोगों का रुपया लगा होता है उनको बहुत कम फायदा होता है। ये मैनेजिंग एजेंट उस रुपए से बाहर से मशीनरी मंगाते हैं और उसमें भी अपना कमीशन लेते हैं। कुछ रुपया इरेक्शन पर खर्च करते हैं। और इस तरह से कम्पनी चालू करते हैं। जब कम्पनी चलने लगती है तो अपने भाई भतीजों को उसमें रखते हैं या सबसिडियरी कम्पनीज जारी कर देते हैं और अपना सेलिंग और बाइंग कमीशन रखते हैं। थोड़ा बहुत मुनाफा शेयर होल्डर्स को भी दे देते हैं। इस तरह से कम्पनी को चलाते हैं। लेकिन यह सब होते हुए भी आज भी सिक्का इन लोगों का ही चलता है। आज भी बड़े मैनेजिंग हाउस जो कम्पनी फ्लोट करते हैं उसके हिस्से हाल बिक जाते हैं और जिसका नाम मशहूर नहीं है अगर वह कम्पनी फ्लोट करता है तो उसके हिस्से नहीं बिकते, क्योंकि इन मैनेजिंग एजेंट्स पर लोगों को भरोसा होता है कि ये कम्पनी को चला लेंगे और हमको डिवीडेंड देंगे। आप सारी हिस्ट्री को देखेंगे तो आप नहीं कह सकते कि इस सिस्टम ने कुछ काम नहीं किया। आपको मानना होगा कि आज जो मुल्क ने इंडस्ट्रियल प्रोग्रेस की है वह इन कम्पनियों की ही वजह से की है। आपको मानना होगा कि यह कम्पनियां अपने काम में इतनी एक्सपर्ट हैं कि जो चीज पैदा करती हैं वह इतने कम दाम पर पैदा करती हैं कि हमारा माल दुनिया के दूसरे देशों के माल के साथ कम्पीट कर सकता है और कुछ चीजों में तो हम दूसरे देशों को मात भी कर देते हैं। इसलिए मैं समझता हूं कि अगर हमने इनको खत्म कर दिया तो हम इतनी लो कास्ट पर चीजें नहीं पैदा कर सकेंगे और जो हम आज दुनिया में कम्पीट कर पा रहे हैं वह हम नहीं कर सकेंगे।

इसके अलावा जनाब वाला मुलाहिजा फरमाएं, कि हमने अपने कांस्टीट्यूशन में भी इस चीज को रखा है और हमारे अब तक के अमल से भी यह जाहिर है कि हम प्राइवेट सेक्टर को कायम रखना चाहते हैं। लेकिन अगर हम ऐसा चाहते हैं तो यह कहां तक ठीक होगा कि हम उसको इतना बांध दें कि उसको कोई फ्रीडम ही न रह जाए। मुझे याद है कि हमारे मिनिस्टर साहिबान ने कई बार अपनी यह राय जाहिर की है कि प्राइवेट सेक्टर को कायम रखना चाहिए। हमारे प्राइम मिनिस्टर साहब ने भी फेडरेशन आफ चेम्बर आफ कमर्स में बोलते हुए यह कहा था कि हम प्राइवेट सेक्टर को खत्म करना नहीं चाहते। और भी मौकों पर उन्होंने ऐसी राय जाहिर की है। इसलिए जब आप उनको खत्म नहीं करना चाहते तो मैं चाहता हूं कि आप उनको एलबो रूम दें। आप नहीं चाहते कि ये खत्म हो जाएं। तो अगर ये दोनों बातें दुरुस्त हैं तो मैं अदब से दरखास्त करूंगा कि ये कहां तक कानसिसटेंट हैं। अगर आप इनको अच्छा नहीं समझते हैं तो आप इनको काट कर फेंक दें। लेकिन अगर आप समझते हैं कि इनसे आपको फायदा पहुंचेगा तो इन पर इतनी सख्त बन्दिशें वायद न कीजिए जैसा कि किया गया है। मैं जब सेक्शंस २२३, २२४, २२५, २२७, २२८ और २२९ आदि जो मैनेजिंग एजेंसीज से सम्बन्ध रखते हैं, पढ़ता हूं तो हैरान रह जाता हूं। यह सेक्शंस हैरानकुन हैं। २२३ के अन्दर गवर्नमेंट को यह पावर दी गई है कि वह कुछ इंडस्ट्रीज के वास्ते यह इन्तजाम कर देगी कि उनमें एक खास अर्से के बाद मैनेजिंग एजेंसी हो ही नहीं सके।

दूसरी चीज यह कहते हैं कि जो गवर्नमेंट की कम्पनीज हैं जिनमें कि गवर्नमेंट का ५१ परसेंट शेयर होगा, उनके अन्दर कभी कोई मैनेजिंग एजेंसी नहीं होगी।

मैं जनाब की तवज्जह दफा २२५ की तरफ दिलाउंगा जिसके बारे में कहते हैं कि इनके वास्ते नोटिफिकेशन जारी नहीं करेंगे जो कि दफा २२३ की जद में नहीं आते हैं। २२५ के वास्ते भी मेरा कहना है कि इसमें यह गवर्नमेंट की मर्जी

पर छोड़ दिया गया है कि वह नान नोटीफाइड इंडस्ट्रीज के मुताल्लिक एपायंटमेंट या रि-एपायंटमेंट के लिए गवर्नमेंट इजाजत दे अथवा न दे। मुझे तो यह एक अजीब सी दफा लगती है और मेरी निगाह में तो यह एक इल्लीगल दफा है। दफा ३२५ मुलाहिजा फरमाएं। वह इस तरह पर है :

"(1) In respect of any company to which neither the prohibition specified in section 323 nor that specified in section 324 applies, a managing agent shall not be appointed or re-appointed,—

(a) except by the company in general meeting,

(b) unless the approval of the Central Government has been obtained for such appointment or re-appointment.

(2) The Central Government shall not accord its approval under sub-section (1) in any case, unless it is satisfied—

(a) that it is not against the public interest to allow the company to have a managing agent;" etc.

मैं नहीं समझा कि नोटीफाइड और नान नोटीफाइड में क्या फर्क रह जाता है। या तो आप दो जगह लाइन खींचें कि यह नोटीफाइड है और यह नान नोटीफाइड है....

Mr. Deputy-Speaker: 'Notified' refers to the whole class of managing agents.

Pandit Thakur Das Bhargava: Kindly go through this clause:

"The Central Government shall not accord its approval under sub-section (1) in any case, unless it is satisfied—

(a) that it is not against the public interest to allow the company to have a managing agent;

(b) that the managing agent proposed is, in its opinion, a fit and proper person to be appointed or re-appointed as such, and that the conditions of the managing agency agreement proposed are fair and reasonable; and

(c) that the managing agent proposed has fulfilled any conditions which the Central Government requires him to fulfil."

उसमें लिखा है उन इंडस्ट्रीज के बारे में जिनको गवर्नमेंट मुनासिब समझेगी उनको नोटीफाइड कर देगी। मैं अदब से अर्ज करूंगा कि यह तीनों कंडीशंस एक से एक अजीब हैं। अगर वह अनडिस्चार्ज्ड इन्सालवेंट हैं, कनीक्टेड परसन हैं या मैनेजिंग एजेंट के वास्ते जो और ऐब समझे जाते हैं और जो कि कई सेक्शंस में दिए हुए हैं और जिनके कि होने पर वे निकाल दिए जाएंगे अगर यह disqualification हों तो उनको मैनेजिंग एजेंट न बनाया जावे। यह काफी ड्रास्टिक प्राविजन है। लेकिन ३२५ वफे में गवर्नमेंट यह कहती है कि जिसको हम पसन्द करेंगे उसको हम इजाजत देंगे कि मैनेजिंग एजेंट बने और दूसरों को इसकी इजाजत नहीं देंगे, यह मेरी समझ में नहीं आता। यह काफी ड्रास्टिक प्राविजन है जो मेरे खयाल में कभी किसी मुल्क में नहीं बनाया गया होगा, वैसे मुझे ज्यादा तजुर्बा नहीं है लेकिन मैं कम अज कम जनाब की तवज्जह कांस्टीट्यूशन की दफा १९ (जी) की तरफ दिलाना चाहता हूं।

According to Article 19(g) of the Constitution, all citizens shall have the right to practise any profession or to carry on any occupation, trade or business.

Shri S. S. More: Provided they have the necessary qualifications.

Pandit Thakur Das Bhargava: Excuse me, I am coming to your objection also. Article 19 further says:

"(4) Nothing in sub-clause (c) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of public order or morality, reasonable restrictions on the exercise of the rights conferred by the said sub-clause....

(6) Nothing in sub-clause (g) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of the general public, reasonable restrictions on the exercise of the rights conferred by the said sub-clause, and in particular, nothing in the said sub-clause shall affect the operation of any existing law in so far as it relates to, or prevent the State from making any law relating to,—

(i) the professional or technical qualifications necessary for practising any profession or carrying on any occupation, trade or business, or

(ii) the carrying on by the State....." etc.

मुझे कब एतराज है, मैं खुद कहता हूं कि गवर्नमेंट प्रोफेशनल य टेकनीकल qualification पर जरूर इनसिस्ट करें जो practising any profession or carrying on any occupation, trade or business. के मुताल्लिक हो। मैं बहुत अदब से अर्ज करना चाहता हूं कि जब एक शख्स में सारी खूबियां मौजूद हों तो गवर्नमेंट यह कैसे कह सकती है कि वही अशखास मैनेजिंग एजेंट बन सकेंगे जिनको कि गवर्नमेंट पसन्द करे....

Shri Mohiuddin (Hyderabad City): May I remind the hon. Member that clause 325 is substantially the same as the amendment that was made by Parliament in the existing Act in 1951.

पंडित ठाकुर दास भार्गव : अगर एक अमेंडमेंट सन् १९५१ में हो गया तो क्या वह सैंक्रामेंट हो गया कि वह दफा १९ की जद में नहीं आ सकता। आप उसको अमेंड कीजिए। मैंने सन् ५१ के अमेंडमेंट को देखा नहीं है। मैं इसको मानने को तैयार नहीं हूं कि वह लाइफ को इतना रेजिमेंटेड करने वाला हो और न उसका स्कोप इतना बड़ा हो सकता है जितना कि अब बन गया है। देख, बीस शेयर होल्डर्ज मिल कर काम करते हैं, क्या उनको अख्तियार नहीं है कि कौन सा आदमी इस कम्पनी को चलाए और कौन उनकी मदद करे जब तक कि गवर्नमेंट की स्वीकृति की मुहर उस पर नहीं लग जाती। अब आप ही बतलाइए किसी के साथ हम प्राइवेट कंट्रैक्ट करते हैं और उसमें रिम्युनरेशन फिक्स कर देते हैं तो जब तक कि गवर्नमेंट उसको न माने तब तक वह नहीं हो सकता। वाट इज दी सैंकीटी आफ प्राइवेट कंट्रैक्ट ? वौर साथ ही दूसरी चीजें भी खत्म हो जाएंगी अगर गवर्नमेंट उनको एप्रूव न करे। मैं अर्ज करता हूं कि यह दुरुस्त नहीं है और इसके जो रिपरकशंस होंगे, वह मुलाहिजा फरमाएं।

मैं जनाब की तवज्जह अब दफा २२६ की तरफ दिलाना चाहता हूं। दफा २२६ की रू से अब गवर्नमेंट की मंशा यह है कि जब गवर्नमेंट फाईव ईयर प्लान पर चलने लगी है और कहीं सौ करोड़ रुपया देश के इंडस्ट्रियलाइजेशन के वास्ते खर्च करना चाहती है, ऐसी हालत में गवर्नमेंट का इस दफा में यह कहना कि सारी की सारी २६ हजार जितनी कम्पनियां हैं उनके जितने मैनेजिंग एजेंट्स हैं वे सब के सब एक फिक्स्ड डेट पर खत्म हो जाएंगे, यह कुछ मेल नहीं खाता और मेरी समझ में गवर्नमेंट को देश में ऐसी अनसर्टेनटी और अनरेस्ट पैदा नहीं करनी चाहिए। इस दफा की रू से सन् १९६० में जितनी मैनेजिंग एजेंसीज हैं, सब खत्म हो जाएंगी। आगे से रिएपायन्टमेंट और एपायन्ट-

मेंट बिला गवर्नमेंट की मर्जी के नहीं होगा। जितनी भी सारी कम्पनीज हैं उनको सब को गवर्नमेंट के सेक्रेटरी के सामने दस्तबस्ता होकर हाजिर होना पड़ेगा और कहना पड़ेगा कि हमको फिट परसन करार दीजिए, सिवाय उनके जिनका कि रिएपायन्टमेंट दफा ३२७ के मुताबिक न हो सका हो। दफा ३२७ के अन्दर भी अगर मुलाहिजा फरमाएंगे तो पाएंगे कि बिला गवर्नमेंट की मर्जी के उनका रिएपायन्टमेंट भी नहीं हो सकता। इसके माने यह हुए कि जो आजतक काम कर रहे हैं और बिजनेस के काम से वस्ती वाकफियत रखते हैं और जो कम्पनी का काम अच्छी तरह चला रहे हैं, उनके बीच में आप अनसर्टेन्टी डाल दीजिए तो इससे जो उनके नीचे काम करने वाला स्टाफ हैं उनके दिल में उनकी कोई वुकत नहीं रहेगी और इसका नतीजा यह होगा कि कम्पनी के काम में बदइन्तजामी होगी। यह प्राविजन रख कर के सन् ६० के अन्दर सारे देश में मैनेजिंग एजेंसीज खत्म हो जाएंगी, आप हर एक कम्पनी के अन्दर एक हलचल पैदा कर देंगे और गवर्नमेंट की मर्जी जिसे रखने की होगी उसे फिर से रख लेंगे और जिसे रखने की मर्जी नहीं होगी, उसे नहीं रक्खेंगे, क्या गवर्नमेंट इसी तरह देश का इंडस्ट्रियलाइजेशन करना चाहती है? गवर्नमेंट ने फाईव ईयर प्लान में इंडस्ट्रियलाइजेशन के वास्ते कई सौ करोड़ रुपया रक्खा है, ऐसी हालत में मैं नहीं समझता कि इस कानून को रखने से गवर्नमेंट की वह मंशा कहां तक पूरी हो सकती है। यहां मैं यह साफ कर दूं कि गवर्नमेंट ने जो अख्तियार खराब कम्पनियों का मैनेजमेंट अपने हाथ में लेने का लिया है, मैं उस अख्त्यार को सपोर्ट करता हूं।

एक माननीय सदस्य: कौन कम्पनीज अच्छी हैं और कौन खराब हैं?

पंडित ठाकुर दास भार्गव: मुझ को इस काम पर मुकर्रर कर दीजिए, मैं आपको बतला दूंगा कि कौन अच्छी हैं और कौन खराब हैं। मेरी अदब से गुजारिश है कि उन कम्पनियों को जो अच्छा काम कर रही हैं, उनको बीच में ही, इन दी मिडिल आफ दियर कोर्स, आपको क्या हक है कि उन सब को यह कहें कि सब मुस्तफी हो जाएंगे। यह इतनी हास्टिक कंडीशन हैं और मैं अदब से अर्ज करूंगा....

The Minister in the Ministry of Law (Shri Pataskar): Cannot we change from the managing agency system to something else?

पंडित ठाकुर दास भार्गव: जनाबवाला, अगर आपके पास ऐसा मसाला या इन्तजाम होता कि आप मैनेजिंग एजेंसी के बजाय किसी और तरफ कदम उठा सकते तो मैं आपको मुबारकबाद देता। आज देश में जो कोआपरेटिव कम्पनियां हैं, आप जानते हैं कि उनकी तादाद कितनी कम है और उनको आप अंगुली पर गिन सकते हैं। मैं पूछना चाहता हूं कि आप यह जो प्राइवेट कम्पनियां खत्म करने जा रहे हैं तो उसके लिए आखिर आपके पास आलटरनेटिव अरेंजमेंट क्या हैं। यह डाइरेक्ट कन्ट्रोल्ड कम्पनियां बहुत थोड़ी सी हैं। अगर २५ परसेंट, ३० परसेंट या ४० परसेंट कम्पनियां हो जाएं जो दूसरे सिस्टम पर कामयाब हों तो आप उन प्राइवेट मैनेजिंग एजेंट्स को निकाल सकते हैं कि वे लोगों का बहुत रुपया खाते हैं और उसमें मैं आपके साथ हूंगा। लेकिन इस वक्त हमारा काम इस से नहीं चलेगा। आप चाहते हैं कि कम्पनियां एक दम से करोड़ों रुपए इन्वेस्ट कर दें, लेकिन आप उनको ऐसे वक्त में छेड़ने लगे हैं, ऐसी कम्पनियों को जिनके खिलाफ कोई चीज नहीं हैं, जब कि नाजुक हालत में आप हैं। दोनों गर्ज एक दम पूरी नहीं हो सकतीं। आपने बहुत सी खराबियों को दूर करने के लिए दफे बनाई हैं वह सब ठीक हैं। आप ने रेमुनरेशन फिक्स कर के बड़ा अच्छा किया कि इससे ज्यादा कोई ले नहीं सकता है। लेकिन आप ने यह कानून इतना सख्त बनाया हैं, दफा १६६ में मेम्बर साहिबान कहते हैं कि इस बिल में पीनल हैं, आप ने कम्पनी ला इस लिए इतना सख्त बनाया हैं कि आप कहते हैं कि जिस में हर खराब आदमी राट टु वुक हो जाए। लेकिन आप का जो एंडमिनिस्ट्रेशन हैं वह इतना

[पंडित ठाकुर दास भार्गव]

इनएफीशिएन्ट हैं कि वह कुछ नहीं कर सकता हैं। मुझे डर हैं कि आगे चल कर आप जो कानून बना रहे हैं, उसमें आप ऐसी चीजें बना रहे हैं जो कि मैं समझता हूं बहुत सख्त हैं। उनमें आप ने एडमिनिस्ट्रेशन को इतने सख्त अख्त्यार दिए हैं कि मैं समझता हूं कि आपने एक मुताबित खड़ी कर दी हैं। एग्रीमेंट के मुताबिक जब तक कोर्ट आफ ला में किसी मैनेजिंग एजेन्सी का फ्राड साबित नहीं होता तब तक उसको कोई निकाल नहीं सकता। इसके अन्दर इतनी शर्तें हैं, इन शर्तों के खिलाफ यहां पर जेनरल मीटिंग में ब्रीच आफ ट्रस्ट का रेजोल्यूशन पास कर के ऐसा काम किया जा सकता हैं।

Mr. Deputy-Speaker: The choice seems to be between the suitability of the company and the suitability of the managing agent.

Shri V. P. Nayar: (Chirayinkil): Between the devil and the deep sea.

पंडित ठाकुर दास भार्गव: मैं जनाब के मैनेजिंग एजेंसी और कम्पनी के तमाम तजुर्बे को अपील करता हूं कि आप इस पर मुलाहजा फरमाएं कि अगर एजेन्ट को निकाल दिया जाए तो कम्पनी को नए सिरे से चलाने में कितनी देर लगेगी, कुछ अर्सा लगेगा, दूसरे किसी को जैसे ट्रेजरर, सेक्रेटरी या किसी को भी लाएंगे तो हू आर दे? ट्रेजरर, सेक्रेटरी, डाइरेक्टर कोई भी हो वह मैनेजिंग एजेन्ट्स के दूसरे रूप हैं। इसके अलावा और कोई चीज नहीं हैं। सेक्रेटरी और ट्रेजरर जिनकी आप को जरूरत हैं, जिसके माने हैं कि आपको टेकनिकल स्किल और फाइनेंशियल हेल्प की जरूरत हैं, वह कम्पनी को चलाएं या मैनेजिंग एजेंट चलाए, दोनों में क्या फर्क हैं? जैसा पाटस्कर साहब ने फरमाया कि वह मैनेजिंग एजेन्ट से निकाल कर कोआपरेटिव सिस्टम को चला देंगे। अगर ऐसा हो तो मैं उन के साथ हूं। तो आप ने यह चीजें रक्खी हैं, मैं उनके खिलाफ नहीं हूं। मैं तो उनके साथ हूं, मैं यह नहीं चाहता कि आप इस कम्पनी ला के अन्दर शेयर होल्डर्स का खयाल न करें, उनके मतलब की बात न सोचें। आई डू नाट वान्ट दिस। आप यह न समझिए कि मैं मैनेजिंग एजेंट्स का वकील हूं, लेकिन जब हम अपने देश में ५०० करोड़ रु० की फाइव इयर प्लैन बनाने चले हैं, जब हम इस काबिल नहीं हैं कि वह रुपया हम लगा सकें, भले ही मैनेजिंग एजेन्ट्स के अन्दर बिद्दतें हों, आप यह जो सोच रहे हैं कि १९६०-६५ में उनको खत्म कर देंगे क्योंकि वह आपको सैटिस्फाई नहीं कर सकते हैं, उसे आप इस वक्त छोड़ दीजिए क्योंकि मैनेजिंग एजेन्ट्स ही पहली चीज होते हैं जो कि होमोजीनियस काम कर सकते हैं, सारे काम को एक आदमी यूनिफाइड माइन्ड से करता हैं और इसी वजह से उसकी कामयाबी मुकम्मल होती हैं। अगर उसके अन्दर ऐसे एलिमेंट्स लाए जाएं जिनकी वजह से मैनेजिंग एजेंट्स का कम्पनी से झगड़ा होता रहे, तो वह बिजिनेस कभी कामयाब नहीं होगा। जिस तरह से आर्मी में डिसिप्लिन होती हैं और एक आदमी का हुक्म वहां चलता हैं, उसी तरह से बिजिनेस में भी यह पहली कंडिशन हैं कि वहां एक मैनेजिंग एजेन्ट का हुक्म चले।

इसके अलावा दो एक और बातें मैं आप के सामने रखना चाहता हूं जिनको मैं दो एक अल्फाज में रख दूंगा। प्रपोर्शनल रिप्रेजेंटेशन के बारे में मैं कहना चाहता हूं कि मैं उस्लन तो यह नहीं कर सकता कि उसके खिलाफ कुछ अर्ज करूं, लेकिन आप जब तक मैनेजिंग एजेंसी रख रहे हैं तब तक प्रपोर्शनल रिप्रेजेंटेशन का जिक्र करना बहुत अच्छा नहीं होगा। दुनियां भर में आज तक बहुत थोड़ी जगहें हैं जहां इसका तजुर्बा हुआ हैं। इसका तजुर्बा और जगहों पर हो जाने दिया जाए, हम उनके तजुर्बे का फायदा उठाएंगे अगर हम किसी कम्पनी में इसको इस वक्त लाएंगे और फायदा उठाना चाहेंगे तो डाइरेक्टर्स और मैनेजिंग एजेंसी के अन्दर एक

तरह से कोलिजन लाएंगे। क्योंकि डाइरेक्टर्स और मैनेजिंग एजेंसी इस तरह से मिले रहते हैं जैसे घी और खिचड़ी एक दिल होते हैं। अगर आप यह तय करें कि इसको चलाना ही है, तो कम से कम पांच बरस तक, जब तक कि आप सेकेंड फाइव इयर प्लैन को पूरी न कर लें इसको अमल में न लाइए। यह मेरी राय है। जो हमारे दोस्त लेबर वाले हैं मैं उनके मैनेजमेंट में रिप्रेजेंटेशन से अस्लन बिल्कुल मुतफिक हूं। लेबर वालों को जितनी सहूलियतें हासिल हो सकें, जरूर दी जाएं। मैंने कई दफा बिरला बृदर्स और दूसरी जगहों पर देखा है, उनका कारखाना है ग्वालियर में। मैं ने उनकी कंडिशन्स को देखा है, मैं भी कम्पनी के इंतजाम को कुछ जानता हूं। मैं भी कम्पनी के बोर्ड आफ डाइरेक्टर्स का प्रेजिडेंट रहा हूं। लेकिन मैं ने इस तरह की कंडिशन्स कभी नहीं देखीं, जैसा के कल एक मेम्बर साहब ने जाहिर की—लेकिन सोचिए इसकी जिम्मेदारी किस पर है कि इंडस्ट्रियल हाउसिंग वगैरह का प्रोग्राम पूरा किया जाए। इसके अलावा मैं चाहता हूं कि जितने लेबरर्स हैं उन को कम्पनी के मुनाफे में भी हिस्सा दिया जाए। बोनस तो अलग चीज है, मुनाफे में हिस्सा दिया जाए और मैनेजिंग एजेंट्स आहिस्ता आहिस्ता यह समझने लगें कि लेबर वाले ऐसे शख्स हैं जिन को मैनेजिंग एजेंसी में हिस्सा देना चाहिए। हमारा जो आइन्दा का कान्स्टिट्यूशन है, हमारे जो दिमाग में हैं वह यह है कि कामन मैन, लेबरर्स और कल्टिवेटर्स और वह लोग जो कंपनी में काम करते हैं, वह सब कम्पनी के इन्तजाम में शामिल हैं। लेकिन अगर आज जनाब ने मैनेजमेंट में लेबर के रिप्रेजेंटेशन की इजाजत दे दी तो क्या होगा? एक आदमी जो लेबर की तरफ से डाइरेक्टर होगा उसके साथ लेबर वाले क्या करेंगे? उनके साथ जो लेबर वाले होंगे वह या तो प्वाइंट आफ पिस्टल पर अपनी बात मनवा लेंगे और अगर नहीं तो कल को स्ट्राइक होंगे, गो स्लो मूवमेंट होगा और कम्पनी का चलना मुश्किल ही नहीं नामुमकिन होगा। जब लेबरर्स यह समझ लें कि फैक्ट्री हमारी है और उनको हक है कि फैक्ट्री के मैनेजमेंट में हिस्सा दिया जाए। लेकिन खुदा के वास्ते, पांच बरस के वास्ते, जब तक आपका फाइव इअर प्लैन चलता है, इसको छोड़ दीजिए। पांच बरस तक नए नए तजुर्बे इस देश के अन्दर न किए जाएं, जिनका नतीजा हमें पता नहीं कि क्या होगा। जो चीज ध्रुव है वह तो ध्रुव ही रहेगी।

ध्रुवं परित्यज्य यो अध्रुवं परिशेवते ।
ध्रुवं तस्यनयति अध्रुवं नष्टमेवचे ॥

इसके बाद मैं कहना चाहता हूं कि इस बिल के अन्दर गवर्नमेंट आफ इंडिया ने अपने हाथ में बड़ी पावर्स ले रक्खी हैं। गवर्नमेंट के पास जो पावर्स हैं वह इतनी वसीह हैं जिस का कोई ठिकाना नहीं है। हमने पावर्स दी हैं, लेकिन कौन उन पावर्स को एक्सरसाइज करेगा? मुझे नजर आता है कि गवर्नमेंट आफ इंडिया जिस मसाले से अब तक उन पावर्स को एक्सरसाइज करती रही हैं उस मसाले से आज ठीक तौर पर उनको एक्सरसाइज नहीं कर सकेगी। भाभा कमेटी की १०० परसेंट सिफारिशें आप मानते हैं लेकिन आप उनकी आटोनोमस स्टैट्यूटरी बोर्ड की सिफारिश fundamental को नहीं मानना चाहते, उस को मानने न मानने का आपको अख्त्यार है। मैं कहता हूं कि बोर्ड बने, वह इन्तजाम करे, लेकिन वह पूरी तरह से आटोनोमस न हो। हमें डी० वी० सी० का बड़ा खराब तजुर्बा है। वह आटोनोमस बाडी है, उसके काम में गवर्नमेंट कोई दखल नहीं दे सकती है। मेरा कहना यह है कि अगर आप स्टैट्यूटरी बोर्ड बनाते भी हैं तो वह नानआटोनोमस हों, जिनके अन्दर पार्लियामेंट को दखल देने का अख्त्यार हो। उसको अख्त्यार हो कि वह उनके काम को देखे और जांचे कि उनके अन्दर गवर्नमेंट की पालिसी को पूरी तरह से चलाया जाता है या नहीं। अगर यह अख्त्यार हो तब तो वह स्टैट्यूटरी बोर्ड बने, नहीं तो नहीं। अगर आप स्टैट्यूटरी बोर्ड बनाएं तो मेरी गुजारिश यह है कि उसके अन्दर जो आप के लोग काम

[पंडित ठाकुर दास भार्गव]

करें वह मोस्ट आनेस्ट, सुपर आनेस्ट हों। ऐसे चार पांच आदमियों को ले कर बोर्ड बनाया जाए।

दूसरे जो आपके एडवाइजरी बोर्ड्स हैं, जैसा कि आपने अपने कान्स्टिट्यूशन में दिया है, और जिस को आपने बहुत थोड़ी पावर्स दी हैं, उसको मजबूत किया जाए। मैं एडवाइजरी बोर्ड्स के काम को जानता हूं। उसकी एडवाइस तफसीलों पर होती हैं कि हमारा काम इस तरह से हो। लेकिन एडवाइजरी बोर्ड की सिफारिश को गवर्नमेंट चाहे माने या न माने। चाहे तो १०० फीसदी मान ले और न चाहे तो ६० फीसदी न माने। इसलिए मैं अर्ज करता हूं कि अगर आप को एडवाइजरी बोर्ड्स बनाने हैं तो उस पर पूरा भरोसा किया जाए। आप इसको डिफाइन कर दीजिए कि किस तरह के आदमी उसमें रक्खे जाएं और उनका काम किस तरह से हो। साथ ही यह कन्वेन्शन मुकर्रर किया जाए, आप ला से तो यह कर नहीं सकते, लेकिन खुद गवर्नमेंट कन्वेन्शन बना ले कि बोर्ड की एडवाइस पर अमल किया जाएगा। सब से ज्यादा झगड़ा तो दफा २२३ में है। वह इन सेक्शन्स में इन्क्लूडेड नहीं हैं जिनकी एडवाइजरी बोर्ड को अख्तियार कानूनन हासिल हैं, जो कि बहुत जरूरी हैं। यह डिटेल्स की बात है। मैं इस के ऊपर ज्यादा वक्त खर्च नहीं करना चाहता।

अब मैं चन्द एक छोटे छोटे उमूर की तरफ जनाब की तवज्जह दिलाऊंगा। आप पहले क्रिमिनल प्रोसीजर कोड की दफा २५० देखिए, जिसके अंदर एक आदमी को मुआवजा मिलता था। अगर कोई शख्स किसी पर झूठा मुकदमा कर दे तो एक्यूज्ड को जो मुआवजा मिलना चाहिए वह मुआवजा २५० दफा में क्रिमिनल प्रोसीजर कोड की, मौजूद था। उसकी दो सूरतें थीं। अब जितने मुकद्दमात इस बिल के अन्दर होंगे, उनको एक तरीके से सीमित कर दिया गया है कि एक तो रजिस्ट्रार या गवर्नमेंट यह मुकदमा कर सकती हैं और एक शेयरहोल्डर कर सकते हैं। इन्हीं दोनों को अख्त्यार है, बाहर के किसी आदमी को इसका अख्त्यार नहीं है इस एक्ट के मुताबिक। यह सही हो या गलत, लेकिन जो शेयरहोल्डर्स मुकदमा करेंगे, आज उनके वास्ते २५० दफा में बड़ा भारी प्रोटेक्शन था कि उसके खिलाफ तब मुकदमा चलाया जा सकता है जब कि उसका मुकदमा झूठा हो, फ्रिवोलस या वेक्सेशस हो। एक हिस्सा उसका निकाल दिया गया जो कि फाल्स का होने के मुताल्लिक था। सिर्फ वेक्सेशस या फ्रिवोलस हैं। यह बात समझने की है। कोई शख्स यह बताए कि सिवा वेक्सेशस के और क्या सूरत हो सकती है जब किसी पर मुकदमा किया जाता है? कोई अगर यह देखे कि मुकदमा सच है तो उस आदमी को अख्त्यार है कि अगर वह कोर्ट के सामने जा कर दरख्वास्त दे कि फलां मैनेजिंग एजेंट की बैलेंस शीट गलत है और वह गलत साबित होती है, तो उस में भी मुआवजा दिलाया जा सकता है---अब दोनों बातें साबित करनी जरूरी नहीं हैं कि मुकदमा झूठा भी है और फ्रिवोलस या वेक्सेशस भी है।

इसके अलावा जनाबेवाला जहां तक गवर्नमेंट इंडस्ट्रीज का सवाल है मैं अदब से अर्ज करना चाहता हूं कि मैं इससे गैर मुतमैयन नहीं हूं। उन्होंने अपने हाथ में कुछ सेंक्शंस ऐसे रखे हैं जो कि उन पर हावी नहीं हो सकते हैं। रिम्युनरेशन वगैरह के बारे में आपने इसमें जिक्र किया है। लेकिन ताहम इसमें कहा गया है कि गवर्नमेंट को अख्तियार है कि उसकी मर्जी है जिस सेंक्शन को लगा दे और जिस सेंक्शन को चाहे वह न लगावे। इसके बारे में मैं यह अर्ज करता हूं कि यह बात नहीं है कि मुझे गवर्नमेंट पर एतमाद नहीं है लेकिन मैं चाहता हूं कि यह बात यहां पर जाहिर कर दी जाती कि फलां सेंक्शन लागू होंगे और फलां सेंक्शन लागू नहीं होंगे। ऐसा करने से लोगों को तसल्ली होती कि गवर्नमेंट सब को एक निगाह से देखना चाहती है। मैं यह भी जानता हूं कि जस्टिस करना और जस्टिस को जाहिर करना कि किया गया इन दोनों में फर्क है और मैं यह भी जानता हूं कि ला मिनिस्टर साहब

मुझ से बेहतर जानते हैं। लेकिन मैं चाहता था कि अगर आप इसमें लिख दें कि फलां सैक्शन उन पर लागू होंगे और फलां सैक्शन नहीं लागू होंगे तो यह एक अच्छी बात होती।

इसके अलावा मैं यह भी चाहता हूं कि अगर आने वाले वक्त में आपने मैनेजिंग एजेंसी को डिसकार्ड करने का फैसला नहीं कर लिया है तो मैं चाहूंगा कि आप कोई ऐसी व्यवस्था करें जिससे कि एक मैनेजिंग एजेंट को आप लें और उसके जरिए से ऐसा गवर्नमेंट इंडस्ट्रीज का काम करवाएं कि वह दूसरों के लिए एक स्पैसिमन बन जाए और जिस से यह पता लगे कि यह भी ठीक काम कर सकते हैं।

इसके अलावा बाकी जितनी चीजें हैं उनके बारे में आप कायदे के मुताबिक यह कीजिए कि लोगों का यह डर कि गवर्नमेंट इस काम को अपने अफसरों के जरिए से ठीक तरह से नहीं करवा सकेगी, अच्छी तरह से नहीं करवा सकेगी, वे इन पावर्ज का ठीक तरह से इस्तेमाल नहीं करेंगे, दूर हो जाए। आप ऐसे आदमी रखिए जो कि बहुत ईमानदार हों और कम्पीटेंट हों।

एक छोटी सी बात मैं और अर्ज कर देना चाहता हूं। उसकी तरफ इस हाउस के चन्द मेम्बर साहिबान ने भी कहा है और मैं भी पूरे जोर से उनकी ताईद करता हूं कि जैसे न्यूयार्क में या स्विटरजरलैंड में इस बात का ख्याल रखा जाता है कि डाइरेक्टर्ज के अन्दर उनके नैशनल्ज हों उसी तरह से मैं भी चाहता हूं कि यहां पर जो भी कम्पनियां कायम हों उनके अन्दर भी इंडियन नैशनल्ज मौजूद हों। आज बहुत सी फारेन कम्पनियां यहां पर कायम हो रही हैं मैं चाहता हूं कि अब जब हमारा देश हर लिहाज से तरक्की कर रहा है और अब जब हमारे देश में ऐसे आदमियों की कमी नहीं है तो उनको बोर्ड आफ डाइरेक्टर्ज में लेना लाजिमी कर दिया जाए।

Mr. Deputy-Speaker: Shri M. S. Gurupadaswamy. Time permitting, I propose to call these hon. Members to speak today: Shri Ramachandra Reddi, Shri V. G. Deshpande, Shri Tulsidas and Shri S. L. Saksena.

Shri M. S. Gurupadaswamy (Mysore): I thank you for this opportunity.

Mr. Deputy-Speaker: The hon. Member will try to be brief.

Shri M. S. Gurupadaswamy: The report of the Joint Committee has been subjected to very severe criticism by our capitalist friends and to flaming indictment by the capitalist Press. Various papers have cast aspersions against the Members who have served on the Committee. Many reports say that the people who participated in the Joint Committee were not fully equipped in company matters and they did not know much of company law and that they were incompetent and amateurish. I have here a sample of the criticism of the capitalist press. In the *Eastern Economist* dated July 29, 1955, there is a special supplement on the Companies Bill. Here is a passage:

> "In the Joint Select Committee, there seems to have been no attempt made to control the work and keep it within the bounds normally to be observed by a Parliamentary Committee translating a definite Government policy into law. If the same attitude is repeated in the subsequent stages of the enactment of the law, the outlook for sound legislation is not indeed bright."

There is another passage and I shall read it:

> "Since it is always the wearer who knows where the shoe pinches, the efforts of Indian companies to apply the principles embodied in these clauses to their own individual cases have produced such amazing results that many managements have now become quite firmly convinced that amateurish advice at departmental levels has grossly misled the legislators on the Joint Committee who are obviously laymen and amateurs who cannot be expected to have an

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intimate knowledge of the functioning of large and small companies."

I want to ask whether this type of attack against the working of the Joint Committee will not be tantamount to contempt of Parliament.

Shri S. S. More: No, no. Don't be touchy.

Shri M. S. Gurupadaswamy: I am not touchy. I just submit to you whether this type of attack does not constitute contempt of Parliament. It is for the House and for the Chair to decide.

The company law deals with a very important aspect of our economic sector, that is the promotion, management and other things connected with company affairs. In the private sector, the joint stock company is becoming more and more important. The corporate sector is increasing in its dimensions and the individual entrepreneur is disappearing from the field, and his place is being taken by the joint stock companies. When we make a law to regulate the joint stock companies, we must be very careful to see whether this law would be adequate and whether this would deal with all the cases which we want to deal with. And I wish to point out that the Government which brought forward this Bill did not keep in view the policy which it wanted to pursue and it did not take into consideration the social and economic consequences of many a provision incorporated in this Bill. I always maintain that public policy, especially economic policy and the legal reform should take into consideration the ideological principles that the Government want to implement. Unfortunately, the Government have not been able to fulfil this requirement. The company law, as I said, is a very important law. It should have been made the instrument for reforming the economic organisation in the country. It should have been made the means to bring about changes in the economic system. The opportunity should have been taken to bring about healthy changes in the structural pattern of our economy. Unfortunately, these attempts have not been made. I do not know whether the Government is afraid of the tremendous pressure that is being brought upon them by the vested interests. Anyway, It is very unfortunate that the measure is half-hearted. Certain provisions on which I wish to speak are very vague and uncertain, and they have not satisfied the reformist or radical or progressive sections of the community.

Before I deal with certain provisions of the Bill, I would refer to one of the points which I have made in my Minute of Dissent; that is, about setting up a statutory authority for the administration of company law. The Company Law Committee made a detailed study of this aspect and the overwhelming evidence which came before it favoured of such an independent body. The Committee itself also favoured the setting up of a statutory body for the administration of company law.

What are the present drawbacks in the administration of company law? Today, company law, though it is a central subject, though Parliament has got full power over it, has been entrusted to State Government in the matter of its administration. The Registrars and their staff have been appointed or are being appointed by State Governments. They function under the State authorities.

Shri A. M. Thomas (Ernakulam): No, no. Not now.

Shri M. S. Gurupadaswamy: And they function as the agents of the Central Government under the guidance of the State authorities. So, what is the result? Many a time the Registrars have to look into various other matters. They have to discharge various other responsibilities and exercise powers given to them by other laws. So, as a result, the Registrars have not been able to keep a watch over the day-to-day developments, the

tendencies which appear in company affairs.

Shri S. S. More: Are they qualified to do all these things?

Shri M. S. Gurupadaswamy: Whether they are qualified or not, they are expected to do it according to law. They have not been able to do it for the simple reason that the Government of India has no control over Registrars because they come directly under the State Governments. But the expenses of the Registrars and their staff are met by the Central Exchequer. So, though the company law is a central law, an Act of Parliament, it is being administered as if it is an Act of the State Legislature. This is really unfortunate. The administration of company law has suffered considerably because there has been little control or supervision by the Central Government. That is why there is great force in the argument that there should be a central authority instead of the Central Government to administer the company law. In the past the Central Government has not been able to administer the company law to the satisfaction of anybody. And hereafter I have got my own doubts whether the Central Government will be able to administer company law. So, the proper course would be the course suggested by the Company Law Committee, that is to set up an independent statutory commission to regulate and supervise company affairs.

Shri S. S. More: Independent of whom?

Shri M. S. Gurupadaswamy: Unless that is done, it is very difficult to say whether the clauses which give extensive power to the Central Government would be properly implemented.

My next point is about labour's participation in the joint stock companies, that is, in the board of directors, and in the board of management. Many opinions have been expressed by many Members on this aspect. I do not want to dwell upon all the points in detail because they have been referred to already, and moreover I feel that is not necessary. I will only point out that in certain Western countries such an experiment has been made. Labour has been given a proper place in the board of management, in the directorate, and in those industries where there has been participation of labour we see a tremendous amount of improvement in production, in economy, in profit. I may quote here the example of Germany. In Germany there was a tremendous amount of agitation among labour for rights of co-determination and co-direction in company affairs, and the agitation was carried on for many years after the war. In the beginning, the capitalist class condemned this agitation as wrong, and they said it would be very ruinous for the industry. But, afterwards due to the continuous pressure brought by labour unions, the Government of West Germany agreed and they granted co-determination and co-direction rights to labour. In April, 1951 they applied the principle of co-determination and co-direction to two important classes of industry, namely mining and iron and steel. And after making law providing for co-determination and co-participation of labour on an equal basis, we see today that in those industries there has been so much prosperity and the capitalist class, the class which represents the capitalist interest or the capital as such, has come to acknowledge that the participation of labour in industry has really helped the industry to grow to prosperity. This has taken firm root in West Germany and is being applied to various other industries. The underlying philosophy of this is that in an industry both capital and labour should have equal rights. Capital is as much important as labour. Some of my friends point out that the shareholders' interest must be paramount in a joint stock company. True, it must be paramount, but the shareholders' interest is capital interest. Shareholders participate in capital, they do not participate in labour, and as such shareholders cannot say that labour should not be given representation in the board of management or board of

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directors on the ground that shareholders' interest will suffer. That argument is not correct, because we have seen that labour participation in West Germany has worked all right. And we have seen how workers' councils are working in Yugoslavia. My friends may object to it and say that it is a communist country and we cannot take that precedent. But let them take the example of West Germany and give co-determination rights and the right of co-direction and participation for labour.

My next point is about the managing agents. Much has been said about this matter. I do not want to speak very long about it, but I would only say a few words. Some of the capitalist members, members belonging to the capitalist class outside Parliament, have said: "Either you believe in the managing agents or you do not believe in the managing agents." "If you have

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faith and belief in the managing agents, then do not put restrictions." But when we tell them, "we have no faith in you," then they come down and say, please put reasonable restrictions. If we put reasonable restrictions, then they point out again that these reasonable restrictions are so excessive that they cannot function as managing agents. They even say, it is no use functioning as managing agents in that case. In fact, my hon. friend Shri G. D. Somani said the other day, it is no use functioning as a managing agent hereafter, because the restrictions provided by this Bill are so rigorous and so severe that no useful or profitable purpose will be served by functioning as managing agents. This is a very curious argument. When we say that managing agency is bad, they come out and say, put reasonable restrictions. They ask us to have belief and trust in them. But when we tell them that we have no trust and faith in them, they ask for reasonable restrictions; and again, when we put reasonable restrictions, they say these restrictions are too severe. This is really a very amazing argument.

We must make up our minds whether to mend the system or to end the system. Now, Government want to mend the system, and they have tried to mend it. But that does not satisfy our capitalist friends. And what are the provisions that they have tried to reform? And what is the type of reform that we are seeing in this Bill? Government assert that after 15th August 1960, all the existing managing agency agreements will come to an end; but there is a proviso to the effect that if they are permitted to continue after that date by Government, then they may be continued even after that date. I cannot understand this. If you want to end the managing agency by that period, please say so once and for all that you want to close down the managing agency system by that time. Why should you have this proviso that the managing agencies may be continued even after that date, provided they are permitted by Government to do so?

Then again, Government say that in certain sectors of industry or in certain classes of industry, managing agencies may be done away with once and for all by a notification of Government. I cannot understand this. If they want seriously to dispense with the managing agency system in certain classes of industry, why can they not insert a schedule in the Bill indicating one or two classes of industry? For instance, in textiles or in jute, you may say that managing agencies will not be permitted to exist after a certain period. In the absence of any such indication, we are not sure whether there will be any such notification in the near future. And we are not also sure which class of industry is going to be run only by the directors and not by the managing agents.

Shri A. M. Thomas: Have the Joint Committee made any enquiries in that direction?

Shri M. S. Gurupadaswamy: On one side, the capitalist interests are saying that the fate of the managing agency is hanging in uncertainty and doubt. My complaint on the other side is also the same. But my reason is different. I say that we are not sure when managing agency is going to be dispensed with once and for all, and we are not also sure which classes of industries will be selected for the purpose of elimination of managing agencies. We do not know also what will be the criteria on which the managing agencies are going to be eliminated. What are the factors governing the elimination of managing agencies? We are left in doubt and uncertainty on all these matters, in much the same way as the capitalists are left in doubt. They are left in doubt because they do not know in which classes of industries managing agencies will not be permitted. We are also left in doubt in much the same way. So, anyway, Government seem to be playing a seesaw battle with us in this regard; they are playing a game of hide-and-seek. We are not sure of their policy at all. Perhaps, they themselves are in a state of uncertainty, and they themselves may not have come to any definite conclusion about these things. They may be wavering.

Shri A. M. Thomas: That is clear.

Shri M. S. Gurupadaswamy: My hon. friend Shri A. M. Thomas says that that is clear. I agree with him. It is clear that Government's policy is wobbling like a pendulum this way and that way.

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

The result is that we have been left in complete uncertainty and complete doubt as regards the policy of Government in regard to managing agencies.

About remuneration, I may say that the remuneration that has been fixed is rather very high. Of course, there has to be some line, and that has to be arbitrary. But then, this arbitrary fixation of remuneration has to be done on a certain reasonable basis. The Joint Committee have fixed 11 per cent. as the remuneration of managing agents.....

The Minister of Revenue and Civil Expenditure (Shri M. C. Shah): The Joint Committee have fixed ten per cent., not eleven per cent.

Shri M. S. Gurupadaswamy: I am sorry, ten per cent., not eleven per cent. The Joint Committee have fixed ten per cent. The Company Law Committee had fixed it at 12½ per cent. It was made out by some hon. Members, I think by Shri A. M. Thomas, that in certain concerns.....

Shri U. M. Trivedi (Chittor): Shri A. M. Thomas is not a managing agent.

Shri S. S. More: He will disown it.

Shri M. S. Gurupadaswamy:...the rate is as much as twenty or thirty per cent. I quite agree. But we are here dealing with the average only. According to the Taxation Enquiry Commission, it is very clear that the present average remuneration of managing agents is 14 per cent. I shall read out the relevant portion from their report. On page 127, Vol. I of the *Report of the Taxation Enquiry Commission*, we find:

> "The average remuneration works out to nearly 14 per cent. of profits for the entire period 1946—51. In certain industries, this proportion is much higher, especially in jute; the high ratio in shipping is associated with very low profits of this industry. During the period 1946—51, this ratio rose from 12 per cent. to 14 per cent. for all industries together."

So, it is very clear that the existing remuneration is 14 per cent. If that be so, then what is it that we are scaling down? We are reducing it only by 4 per cent., and we want to give them 10 per cent. of net profit. There are certain very prosperous concerns which give only less than ten per cent. to the managing agents. Of course, it is up to them to pay what they like;

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it is up to them to pay ten per cent. or a little less; they can pay anything between one per cent. and ten per cent. If that be so, then what is the advance that we have made? Why should we 'tom-tom' about, saying that we are controlling the managing agencies, while the ceiling that we have fixed for remuneration is very high, and it is beyond our expectation and it is beyond the reasonable limit that we want to lay down? I, therefore, say that we have not made any advance or any radical change in respect of remuneration.

May I point out again that the sum of Rs. 50,000 which we have allowed in respect of companies which do not earn profits, or which do not have adequate profits, is rather too much? I need not remind the House that the Prime Minister of India and the hon. Minister of Finance, for instance, are working as Ministers, and they are administering the entire country, taking only a sum of Rs. 2200 per month. If they can do so without much grumble, why cannot the managing agents also do the same thing? Some may say that business should not be compared to politics, that politics is one thing, and business is quite another. But in so far as money is concerned, for me it looks the same. Whether in politics or in business or in administration, money is money. And if people sitting on the Treasury Benches can manage the affairs of the country taking only a sum of Rs. 2000 or so per month, why should not the managing agents be able to do the same thing? Why should not a uniform ceiling be fixed for all?

Whether it be in business, whether it be in administration—let it be anywhere—there should be a ceiling. I think the sum of Rs. 50,000 provided in the Bill is too unreasonable and too high and should not be accepted by the House.

Lastly.....

Mr. Chairman: There are other hon. Members also who are anxious to speak. I would request the hon. Member to conclude now.

Shri M. S. Gurupadaswamy: Yes. Lastly, about auditors. In my Minute of Dissent, I have said that auditors should be appointed hereafter in the name of individuals and not in the name of firms. Till now, only firms were appointed as auditors, and auditors have been doing their work in the name of firms. This has led to a lot of abuse. Incompetent auditors may come into a firm. After the firm establishes itself, makes a good name, and carries goodwill, and under that goodwill, even incompetent auditors may be sent to audit. As a result, the standard of auditing goes down. So I say that auditors should be appointed by concerns on the basis of merit, not because a firm has got a good name and another has got a bad name. It is always advantageous in the long run to appoint auditors by their names as individuals and not by firms. By doing so, you will be encouraging new elements to come. At present, there has been too much monopoly. Some firms have established themselves firmly. Newcomers cannot come and compete with them and no opportunity is given to them, and they are not, therefore, known much. So I say it would be better hereafter, from the point of view of democratic functioning of audit, that auditors should be appointed by individuals and not by firm.

Shri Tulsidas (Mehsana West): Even though I have made a full note in my Minute of Dissent, in view of certain observations made in this House, I feel it my duty now to make a little clarification, particularly when some of the Members have also expressed certain things with regard to certain statements that I have made in my Minute of Dissent.

I find that in spite of the fact that the Bhabha Committee, the Cohen Committee and others have said that company law is merely to provide the means for efficient company management—and the Finance Minister also

made a reference in his speech in the same terms—many Members have expressed the view that the provisions here should be on the lines of an egalitarian society or any other pattern of society which we would like to have. I am afraid—and you, Sir, also pointed out in the speech which you made just now—that if this particular measure has to be framed so as to subserve the purpose of a particular pattern of society, then the very purpose of this Bill will be defeated. After all, the socialistic pattern of society.....

Shri Kamath: You believe in it?

Shri Tulsidas: ...in my opinion, cannot be the end of public policy. It is only a means by which social ends, namely, the welfare of the people, are to be realised. The welfare of the people is the ultimate end of all public policies. As far as the economic sphere is concerned, it means that the economic condition of the people should be bettered. I would like to mention here that if we are to have a particular society or if we want to put through egalitarian measures, the Finance Minister is quite capable enough to have it brought about by a change in the fiscal measures or in the wage policy which the country should have. This is not the place where the question of a particular society or pattern of society can be brought in. Reference has also been made to the directive principles of State Policy incorporated in the Constitution, which say that the State has to see that there is no concentration of economic power. I would like here to bring to the notice.....

An Hon. Member: The lights have gone off, Sir.

Shri S. S. More: He cannot read his notes.

Shri Kamath: Parliament is 'winking'.

Shri S. S. More: I hope it is not drinking.

Shri Kamath: Not inside.

Shri Tulsidas: Let us consider what the Directive Principle of State Policy says. It says:

> "The State shall, in particular, direct its policy towards securing that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment."

I would ask the Finance Minister to mark the words "to the common detriment".

An Hon. Member: Lights have again gone off, Sir.

Shri Bogawat (Ahmednagar South): We are working in darkness.

An Hon. Member: Electricity is protesting.

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): The hon. Member's speech has plunged the House into darkness.

Shri Kamath: Alternating between light and darkness.

Shri Tulsidas: The Directive Principle laid down in the Constitution is against concentration of wealth and means of production which is detrimental to the country's common interests, which clearly, to my mind, has reference to the total national income rather than to the pattern of income distribution. However, I will not say much more on this because even the Planning Commission in its document has indicated that the aim is greater production rather than distribution. We must, therefore, consider how far our production is going to increase, how far our production is going to have the effect of.....

An Hon. Member: Lights are again off.

Shri Kamath: In the interest of accurate reporting, we should stop.

Shri Tulsidas: I would now like to make a few observations with regard to this company law. I am afraid, as

[Shri Tulsidas]

I have already pointed out in my Minute of Dissent, that the complexity, inhibition, rigidity and non-flexibility of this law is going to create much more trouble, particularly for the newcomers. With this enactment, it will be impossible for them to get clarification or to steer clear, as one of the Members said, of the infringement of the law.

The lights have gone off again, Sir. I am afraid, at this rate it is a little difficult for me to proceed.

Shri Pataskar: Alternating between light and darkness.

Shri Tulsidas: I would like the Finance Minister to please realise how it will cause companies to concentrate in the bigger cities. It will also create a situation when smaller companies coming up, particularly in the mofussil areas, will find it extremely difficult to carry on. I may even cite an example.

An Hon. Member: Lights are again off.

Shri S. S. More: Let us adjourn for half an hour, till the whole thing is made all right.

Mr. Chairman: We can hear him; want of electricity in the House affects only visibility and not audibility.

Shri Kamath: The report may not be accurate, as the Reporters must be finding it difficult.

Shri S. S. More: The speaker too must be feeling very much annoyed.

Shri Kamath: The proceedings may not be accurately recorded.

Shri Tulsidas: I shall proceed. I may tell you something from my own experience. There was a company which was formed in the south of Bombay, in Karnatak, called the Bagalkor Cement Company. When that company was formed in 1948, they found it difficult to get directors. The person who wanted to start this company felt that he was not considered a really commercial man. One of the directors felt that it would not be proper for him to be on the board of a company where the person who is going to look after the company is not really a commercial person. Still he has been able to persuade some of the persons and I was one of the persons so persuaded to be on the board. I was, of course, also asked to take over as the chairman of the company. I know what difficulties the company had to go through. He found it extremely difficult to get his capital. I must also tell the hon. Finance Minister that it was because of his own personal efforts he has been able to gather a certain amount of capital which was subscribed in that particular district. The amount that was required for the putting up of the factory was much larger than the shares subscribed. I can assure the hon. Finance Minister that if this law had then existed, at least I would not have accepted to be a director. It would not have been possible for me to have remained on the board because I can tell him.....

Shri Kamath: Hide and seek?

Shri Tulsidas: I can tell him that the prospectus and other things would have brought most of the directors into difficulties.

I would like the hon. Finance Minister to bear in mind that when we are making this law, we are not making it merely because the big people are the only people that are going to start these companies. We have also to consider that we have a lot of other potential enterprise in this country; we have also a number of small people who want to start small ventures in the country and who want to have a certain amount of capital. I would like him to examine this aspect also. What about a scientist or an engineer who has a certain invention? (*Interruption*). He wants to start a certain industry which, according to his invention, would be, in the larger interests of the country, a very successful industry. How is he going to

start that? He is to be under the thumb of the financier. He cannot have the company managed according to his likes. He would always be under the thumb of the financier. I may also remind the hon. Finance Minister that even the government institutions which today provide finances always look to the person's credit-worthiness, whether the managing agent or the board consists of persons with proper credit-worthiness. Is it possible to start an industry today? When my hon. friends tell me that there is a possibility of obtaining the finances from the Government or from the Financial Corporations, I want to ask them: is it possible for a person of this nature to get finances from anywhere? How is it possible to get it.

Naturally, the question may be asked what are the laws that would come in the way. I would like to cite an example of big industries which have grown up from ventures of small men. Take, for example, Mr. Henry Ford. How did he start his industry? He started it with his own ideas. He did not start it with a large capital. He started it with a small amount, with his own invention and made it a success. What about Lord Nuffield? The same thing. In England he started as a small man. He started in such a way that he could start a very small factory and make it a big success. Is it possible here? It is not possible. As I said, today, if a small man wants to start a factory he will find it extremely difficult even to get finances from the government institutions—apart from being under the thumb of the financiers. How do you expect these small people, the newcomers, to start new ventures? The corporate sector—the joint-stock companies—are the real barometer in the country. The largest number of ventures in the country shows the progress and advance of the country. Here we are making laws simply because we have got a lot of abuses. We must take note of these abuses and see whether they could not be checked. These laws are bound to check business. I am not telling the hon. Finance Minister that we should have complete freedom. I am one with him. I have no sympathy for a person who has done a certain number of bad things. We should condemn that person and we should make all possible laws so that in future such persons do not get any more opportunities to do this sort of thing, and prevent this sort of thing happening.

Shri Matthen (Thiruvellah): And enforce laws.

Shri Tulsidas: In order to try and catch hold of those few persons, what do we do? We choke up the whole industry. You do not want to allow any opportunity for small men to come in in any sphere or venture. That is not a thing which is desirable. I am quite willing to put such restrictions or safeguards as are necessary to prevent this sort of thing happening or bad things happening. As I had said, in order not to choke up enterprise, in order to make room for any newcomer to come in, we should also see that laws are so made that they do not become too rigid, and it is possible for newcomers to come in.

Now, I would like to examine the other issue. What is the cause of these abuses? Not because the laws were not there. The laws were there. The present Act has vested enough powers in the Government to prevent such maladministration. Has our administration been vigilant to see that such abuses do not take place? I do not want to say anything severe. The administration has not been able to check the abuses. I am sure that even today, under the present laws, if our administration is vigilant it could have stopped all these abuses. But it has not done so. We should only make such laws without which we would not be able to control all these things. I heard the other day the hon. Finance Minister telling us about the Kandian theory. It might have happened about 200 years ago or 1,000 years ago. But the world has advanced very considerably since then

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and I am sure that the people are much more shrewd than the people of that time.

Shri Matthen: That is the danger.

Shri Tulsidas: The making of laws alone will not make dishonest persons hesitate to become dishonest. The laws, on the contrary, give advantages to the dishonest persons. It has given the greatest handicap to the people who are honest. It is they who suffer and not the dishonest persons. Therefore, I would like the Finance Minister to examine this from that point of view also and not merely from the point of view of having laws and thinking that abuses will not be there any longer.

We have also to examine this aspect. There are powers in the hands of the Government under so many statutes. We have got the Industrial Development and Regulation Act, under which the Government have power to give licences. They can give licences only to persons whom they consider honest and conscientious. They can give licences only to those whom they consider to be working in the best interests of the country. Government have got all these powers. They have got the Income-tax Act. They have got powers under the Import and Export Control Act. They have also got the power to distribute cement and steel to those to whom they would like to release these. They can easily check up the antecedents of these persons and may not give licences to those whom they consider to be dishonest. Why do we not see it from that point of view that the laws must be such that they must have enough flexibility so that newcomers can come in without much of difficulty. But, I am afraid, this is not the position under the law that we are making today. The other day one of the Members said here that Government will have to come within twelve or eighteen months to amend this particular law. I do not think it will be within 12 months, but it may take about two years even for the Government to consider any changes and Government machinery usually takes that much time.

Shri Kamath: By the next Government.

Shri Tulsidas: In my minute of dissent I have mentioned with regard to the differential voting rights. I know that the Bhabha Committee has also said that there is an amount of opportunity of abuse with differential voting rights. I can appreciate that when the managing agency is functioning in a particular company, the differential voting rights have a great scope of abuse. Where the companies have no managing agencies, where the companies are functioning without managing agencies, why should they not be given shares with differential voting rights? I may give an example just now. Lord Nuffield and Henry Ford started with differential voting rights for shares. They had no capital and they wanted to see that the concern was run according to their ideas. It was they who started this and the public accepted it. Why should we stop these differential voting rights in the case of companies which have no managing agents? I know that the hon. Finance Minister both here as well as in the Joint Committee said that he would like to encourage the companies with a different type of management. I would like to submit to him a constructive suggestion or a memorandum, in which I will move certain amendments. I would like him to consider this memorandum in a constructive manner and not merely consider it from the point of view that it may be abused. You have got powers under the Capital Control Issue Act and under several different statutes and you can always stop these abuses. Please consider that you do not want to choke private enterprise or any venture coming in in the vast field that we want in the next Five Year Plan. So much about the managing agency, and I do not wish to go further into details because the matter

has been discussed threadbare. But I do want to mention this much, namely, that so far the entry of Indian industries has been entirely due to the managing agency system only. This is the originality of this country. It did not exist anywhere else excepting in Pakistan, Ceylon and Burma, and it exists only in India. It has its advantages; it has functioned very well, and if the Government feel that we must have a different system, then I would request the hon. Finance Minister to consider the question of evolving one from now on and to have measures so that a new pattern of society, particularly the management part of it, is evolved. It is not possible completely to abolish this system today because we have not evolved anything in its place and this law does not give any facilities to create a new type of management in the future.

It was also pointed out by the hon. Finance Minister that the Joint Committee Report has not gone very much beyond the original Bill. I am sure that when we see clauses 323 to 331, they have nothing to do with any recommendations of any committee or the original Bill. No association—Shareholders' Association or Lawyers' Association—or nobody has suggested these measures. The only association which suggested these measures is the INTUC. Before the Joint Committee started its deliberations, the INTUC made a huge campaign on these very measures and exactly these measures have been brought in this Bill. Clauses 323 to 331 are entirely the suggestion of the INTUC—I am sorry to say that, but that is the fact. These clauses are entirely the suggestion of that particular body.

I would like to say that I have no objection to whatever restrictions that you like to impose on the managing agency system, but side by side please try and see that the other system is evolved; otherwise, much harm will be done with regard to our progress and with regard to private enterprise.

There have been certain things mentioned with regard to the remuneration under clause 197. As a Member of the Joint Committee I know how that clause came in. I would like the hon. Finance Minister to examine whether this particular clause has any place here. After all, the remuneration of managing agents and managing directors is fixed by particular clauses but in this clause, they have put in provisions by which salaried persons will be affected. How do you expect the salaried persons to continue? On the one hand we bring in people. We have got Government enterprises and just now we have been told that a Russian expert has been brought in at Rs. 4,000 per mensem tax-free. If this clause is not applicable to Government enterprises, well and good. If, however, it is applicable to Government enterprises, is it possible to keep the managerial expenses within Rs. 50,000 as required by this clause? It is not possible.

The Minister of Finance (Shri C. D. Deshmukh): But he is the Chief Engineer.

Shri Tulsidas: I would like him to examine the definition of 'manager' and I think that will definitely include any technical works manager—he is also a manager. That is my view. I would like the hon. Finance Minister to examine this point. Supposing in Government enterprises there is no managing agent or managing director, and no percentage of commission is paid to anyone of them on the basis of profits, then I would like him to examine whether in Government enterprises, managerial expenses come to more than Rs. 50,000 or not. Because they are not making money—most of them—, the managerial expenses in most cases will come to over Rs. 50,000. How will clause 197 not apply to them? Of course, Government enterprise is immune under this particular clause. If that is so, it is a different story. Then, there is definitely a discrimination between the private sector and the public sector. Why should that discrimination come

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in? I would like the hon. Finance Minister to examine that issue.

I would like to refer to one or two points mentioned by my friend, Shri C. C. Shah. Before I go to any further points, I would like to mention to him with regard to a certain company, about which he said that, having a capital of Rs. 3½ crores or Rs. 4 crores, it is still floating new capital. Did he blame the company or the Government?

Shri V. G. Deshpande (Guna): Government.

An Hon. Member: Both.

Shri Tulsidas: I do not think so.

Shri V. G. Deshpande: Because Government allowed them.

Shri Tulsidas: I went through his speech last night. What he tried to do was to give a picture in this House that this sort of thing happens. May I point out that under the Capital Control Issue Act and the Industrial Development Regulation Act, Government could have said 'no' to this company even for floating new capital or for a licence if they felt that the company was not coming according to the socialistic pattern of society, which he tried to point out. Anyhow, I must congratulate him for pleading so ably the case for whom he has chosen to stand, and his advocacy was excellent. He was a Member of the Joint Committee and he did not mention these things at that stage. He has made certain observations here and I am sure these must be his second thoughts. I would only like to say that he has discharged his obligations as an advocate with the fervour of a true zealot. I am sorry I have to mention this but I do feel that, that is the position.

Then he mentioned about private companies. He said that the statement which I made was a complete mis-statement. Whether my statement was a mis-statement or what he mentioned was a mis-statement I would like to explain. As regards private companies the Cohen Committee has mentioned something and I have already put that down in my minute of dissent. He said: what do I mean by saying that the public has no interest. I maintain that. He mentioned that the private companies got crores of rupees from the Government. I would like him to cite one example of a private company where the Government have given money. This is entirely a mis-statement. Then I would also like him to show me one bank or financial institution which gives any facilities to the private companies and who does not know the affairs of the private company. They do know and they get the information. But, the position here is; who else is interested in the private company excepting the shareholders,—the people who give them the credit? They are not interested except to the extent of any commitment by any person in public with that private company. I know and Shri C. C. Shah also fully knows from practical experience that anyone who enters into any commitment with a private company must take into consideration the affairs of the company before he commits himself with the company. It is not required that he should see the balance-sheet or profit and loss account. Even for a private partnership firm when a person makes a commitment he does not go through the balance-sheet or profit and loss account. He only takes into consideration the credit-worthiness of the party. In a private company also the same thing happens. That is my personal experience and that is my experience as a banker. We always know what the private companies are and it does not make any difference whatsoever whether the private company's balance-sheet or profit and loss accounts are registered or not, or even audited. Now, naturally, he would ask me a question: "Then there is no fear. Why are you feeling shy about it?" The Cohen Committee has replied to it very fully. That is why they wanted to create a

separate category of companies called "exempt private companies". In my minute of dissent I have pleaded that if the Government does not think it proper to have private companies exempted from this particular clause they should consider the question of making a separate category of "exempt private companies". To that the hon. Shri C. C. Shah says: "Well, that is too premature." If we can have all the 650 clauses of this Act here in this Bill, why can't we have this particular clause? How is it premature? When we are having all the clauses of the United Kingdom and we even go much further than that, what is premature about it? I do not understand. Anyhow, that is his way of thinking and I am merely mentioning that the statement which he made was more a mis-statement than my statement which he said was a mis-statement.

Then I would like to refer to the question of proportional representation and minority rights. There have been statements made here by hon. Members that proportional representation is the best form of democracy and so on. Sir, I would like to visualise that this House was elected on proportional representation. I would also like to visualise a situation where the Cabinet would be elected on proportional representation. Is it possible? In fact, in a democracy the Cabinet is never elected; it is always nominated. Therefore, in company management election without proportional representation is much better and democratic than any representation. I do not see how the system of proportional representation is going to function in any company management. I would like hon. Members to realise that proportional representation is advocated simply because people have a feeling that the board of directors is a packed body. You are now putting a lot of restrictions on the board of directors of managing agency companies and to that extent the board of directors of those companies will not be a packed body. But, I go a step further and say that if a Cabinet is not a packed Cabinet the Government cannot function properly and it must be a packed Cabinet of the Prime Minister in order to function properly in any democratic country. If it has to function properly it must be a packed Cabinet and I do not see any reason why it should not be a packed Cabinet. Even in a totalitarian State it is a packed Cabinet which functions.

Shri Kamath: It has got to be. Why "even"?

Shri Tulsidas: Therefore, I do not see any reason for this. The members of the board cannot just go on fighting. A company has to deliver the goods and if it has to function the board of directors cannot just go on fighting amongst themselves. If there are people in the board of directors who fight amongst themselves then the company goes to pieces. We have seen examples of that and therefore I do not see any reason why people advocate this policy of proportional representation after knowing what the actual position is.

[SHRI BARMAN *in the Chair*]

Now, with regard to the clauses relating to the approval of Government I have said enough in my minute of dissent. In Appendix VI—which was appended by me and which has now been appended to this particular Bill—I have already given enough material with regard to the clauses under which one will have to approach the Central Government. I would like the hon. Finance Minister to consider this question from this aspect. If a person who starts a company in Travancore-Cochin has to come to Delhi to get the approval of the Central Government for even ordinary things, I would like the Finance Minister to realise the amount of difficulties that small companies will have to face. I have said from the very beginning that I am not against the safeguards or the restrictions which you want to put against persons who are supposed to be bad elements; but I do want the Finance Minister to consider this aspect of the question that the amount of approval required under

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these clauses is such that it is bound to create a lot of difficulties to the newcomers and to the small companies. I am afraid for bigger companies it will not be much difficult. They can always come to Delhi and spend money. They have legal experts like my friend Shri C. C. Shah who will naturally come here on behalf of the companies to look after their interests.

Now, I would like to make one more point and that is with regard to the privileges for government enterprises. I have already said that under these clauses 610 to 614 the 'government companies can have exemption in practically the whole sphere. Besides, they have now made a definition of government companies as those holding 51 per cent. I do not quarrel with 51 per cent., 80 per cent. or 70 per cent. My quarrel is only as to why there should be this discrimination between a government-owned company and a private company. A private company means a company in a private sector which this Bill is supposed to look after. Sir, you know very well that this House has been saying continuously that it does not have enough information on the government enterprise. In fact, I have on four occasions mentioned this in my speech, that the government companies do not give out as much information as the private companies. The Government considers that certain enterprises must be started on a corporation basis because if they start on a departmental basis the Parliament of course has a say. If a separate corporation is started we only look at the Auditor's report or anything which we get yearly by way of accounts. I know what the Government's mind was when this particular clause was brought in and the amount of exemptions which the Government preferred before bringing up this clause. The Government amendments sought to modify the application of accounts and audit provisions to the government companies, reduce members' rights to seek investigation into the affairs of the companies, exempt Government companies from provisions relating to prospectus and shareholders' remedies in cases of oppression and mismanagement and generally to transfer powers from the courts to the Government. These were the powers which the Government would like to have and which are provided in this Bill. These powers would automatically exempt the government companies. It will mean that we will have as little information as possible. If the Government holds 51 per cent. the minority which holds 49 per cent. will have no right to say anything against the Government, even if the company is mismanaged or oppressed. I am just pointing out how the Government's mind worked when this particular clause was considered I know the hon. Finance Minister is very sympathetic towards the Members of this House and he has been kind enough to send me most of the accounts of the companies which I wanted to consider, but I would like him to examine this particular aspect and let me know. After all, this is a permanent statute, and with the powers that the Government are taking, they will create a sort of another chapter in company relations in future and the mismanagement will be more in the government companies than in the private companies, because there will be no question of any scrutiny. Once they come out as a corporation, they become a separate entity and they will have no responsibility to anybody, because most of their work will be in the government company run by the government directors and so on. I would like this particular aspect to be considered, and the Finance Minister will find that there is a lot in what I have said on this matter. Let us know what powers the Government want to possess. Let us know what they are. Let them say, no further and no more. Why this omnibus power of taking away the powers and say that any section of the Bill may be exempted from the government enterprises, or that government enterprises may be exempt from any provisions of this Bill.

A lot has been said with regard to the workers' representative. I have not mentioned anything on this point but I do want to express here what has been done in other countries. An hon. Member pointed out something about Germany. I know that in the United Kingdom, in the nationalised industries—after all in England it is a socialist government—there were labour leaders who were put on the board of directors. What is the position? Not one director who was formerly a labour leader remained to be a labour leader. When he wants to remain a labour leader, he does not want to come in on the board because he finds it extremely difficult to remain on the board and to look after his sectional interests. When he is on the board he has to look after the company and not the sectional interests. So, when he is on the board, he remains completely out from labour, or he has to remain so. Apart from this, there are some laws in which we can consider the question of labour. This is not the place where labour questions come in. After all, the company has to be looked after, has to run and function, and with this amount of restriction and the complex way in which it has been mentioned, how is it possible to run the companies when you bring in all difficulties in regard to the running of these companies? It is better that this labour question is not considered in this Bill. Let us consider it in any other legislation where the question of labour legislation comes in. I know the hon. Finance Minister said the other day, when he was interrupting some Member who was speaking, that there is a programme for industrial housing and so many other things. So, those are the spheres where the labour question has to be looked into and this is not the place where it has to be gone into. I feel that this is a point on which elucidation is lacking.

There is one more point and I will end. It is a question of administration of this particular legislation that we are now discussing. As I have said, the administration has to take tremendous responsibilities under this Bill, and unless the administration is made to take this responsibility in a manner by which all abuses will be stopped at the very beginnig and no choking takes place with regard to future development, the Bill will not be an effective one. I am not enamoured about a separate sort of body which may be a statutory body or something like that. I do not mind giving the Government some powers, but I do want the hon. Finance Minister to consider whether, under these powers, he should not create certain departments spread all over the country to enable a certain amount of information to be given in a much more simplified manner so that the people will be able to understand the laws, instead of creating an organisation which will make the people run from Travancore-Cochin to Delhi for getting an explanation or getting something by way of information. Why not have different places, different organisations and departments which will at least be able to check up lapses and be vigilant enough to see that things are done in proper time. You should not create a sort of difficulty for people who genuinely and conscientiously want to work in the new companies. I would like the Finance Minister to consider whether such an organisation is feasible or possible for the Government. Otherwise, I am afraid that all these powers with all this legislation that we are making will not be of avail and it would not be possible to administer this law; only we might have further laws. You can make as many laws as possible but that is not going to stop the abuse. I only wish that all abuses should be stopped from the very beginning so that we might have a healthy growth of the companies in this country. I only wish that the hon. Finance Minister will be able to create such an organisation so that we will have a healthier and bigger growth of companies in future.

Shri Ramachandra Reddi (Nellore): I get this opportunity of speaking in darkness.

Shri U. M. Trivedi: There would be light.

Shri Ramachandra Reddi: There have been very many lucid speeches on the floor of this House and some of them not so lucid and they have not given me the enlightenment that I have been seeking. All along, except probably today and a portion of yesterday, we have been witnessing a sort of one-way traffic, namely, a very strong criticism of the managing agencies that have been existing in this country. I find that with all the vigilance and care with which the Joint Committee has drafted or amended this Bill, it has not been possible to understand how the new clauses that have been introduced and the new clauses that have been enriched by amendments would be able to allow the Government or the private sector to run and develop the various activities in business in the way in which they are expected to be done. It is a well-known fact that the Government is now trying to find out the best methods of introducing legislation or administrative action to see that the next Five Year Plan is successful in regard to the development of industries in this country. With the restrictions and curtailments of powers of the existing companies, I am afraid the Government will not be able to achieve the object in view. By the discussions in this House during the last four or five days, we get the impression that all managing agencies have been doing harm and no good. As I have expressed on a previous occasion, my experience is that the big business companies have probably done more good than harm and as such, it is not worth-while condemning their activities outright. But,

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on the other hand, smaller companies, companies of medium size, have done more harm than good. The reason is, in bigger companies they have been able to command the necessary finance and find out the ways and means of rehabilitating certain companies which are likely to fall down and to help them with a view to developing the particular industry for which it was intended. The smaller companies were not able to manage themselves to get the necessary finance, and nobody could come forward with financial help unless it was possible for him to get the largest slice of the profits thereof. In that view I have to say that the bigger companies which seem to have been condemned all along have done more good and the smaller companies, which seem to be very much appreciated and encouraged, have not been able to do that amount of good that was expected of them.

With the existing law, it must have been possible for the Government with greater care and vigilance to see that the companies are run properly and that the company's management do not misuse the powers that the placed in their hands. But now, the Joint Committee has approved of so many changes, changes that will involve equipping the Government with a large number of powers of supervision, with the result that the speed with which the progress should be maintained may probably be very much hampered. If we look into Appendix VI, we will find that nearly 80 clauses have been provided in this Bill through which the Central Government has taken a large number of powers and the powers of control which they are trying to take do not seem to be conducive to the development of industries in this country. They have taken powers unnecessarily with regard to the declaration of the name of a company to be undesirable, the change in the name of a company to permit issue of shares and the payment of dividends out of monies provided by the Government and even the appointment of auditors and inspectors on application—prosecution also can be done on the inspectors' report—approval of appointment of managing directors and so on and so forth. I am not very sure whether the Government will be able to cope up with the growing work that these 80 clauses would entail the Government in conducting

their affairs as quickly as they expect them to be, because the more the officers and the offices that are instituted, the greater will be the delay in the performance of the duties that will devolve upon the Government. For instance, take the inspectors. Inspectors probably will be taken up from the lower grade of officials or new recruitment will me made and persons trained for that purpose; and they are expected to get into the records of the company, however big it might be, and they are expected to report correctly their own impressions upon the records of the company. But my own experience shows me that in one or two instances, these inspectors will serve very honestly and sincerely until they are confirmed and until their position is quite secure: but the moment there is a possibility of their getting something more directly from the companies themselves, their honesty will dissolve itself, all sorts of reports will be furnished by them and probably the honest men in the company management will suffer and the dishonest men will prosper. Therefore, the institution of this inspectorate will have no effect on the proper management of the companies and honest men will not be able to manage the companies properly. In those circumstances, if the inspectorate is going to be appointed from the lower strata of the public or the officials the disadvantages that will accrue from such inspectorate will be more than at present. I may also state that in the Registration Department with which the highest officials here may not be conversant, there are so many lacunae which have to be removed and its administration has to be improved. Where there are no faults, they find opportunities to pick holes and say there is fault. I may mention one little incident as an example. A limited company sent its annual return. From the Registrar's office it was returned after a number of days with the remark that the company is not named as 'limited' with all the letters there. The name was corrected and the return was sent back to the registration office. After a few weeks it came back with the remark that certain names have not been properly spelt there—for an 'a' there was an 'e' or for an 'e' there was an 'i'! This is the way in which things are happening there. Therefore, I say that unless there is a proper set-up of officers, it is not possible to depend upon these officers to find out the actual difficulties in the administration of these companies.

I will now pass on to the question of auditors. I do not see any reason why the Government should take upon themselves the onerous duty of appointing auditors themselves. The auditors are there; they are registered, they are properly examined and trained, and they are approved also. The Institute of Chartered Accountants of India has power to recognise and enrol such members. If they do anything wrong, just in the same manner as any other advocate who does anything wrong, they will be removed from the Institute's list. So such powers are already there to deal with bad auditors and to encourage good auditors. Now the Government seems to be anxious to take powers to enlist or appoint auditors who have been trained or who have passed examinations held outside India also, even without noticing that the Institute of Chartered Accountants of India have powers to recognise them and any persons can be chosen from the list maintained by them. The point has been raised that individuals alone should be selected and not companies. The auditor companies do have a reputation of their own; they usually concentrate upon things in such a way that their reputation is kept on for all time to come. But as regards individuals, the same kind of honesty may not be found. So, it is unwise that the present system should be changed into something which is individualistic.

Provision has been made for the appointment of an Advisory Committee. I am told that an Advisory committee has been functioning for some time past. To what extent has the Advisory Committee been able to

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help the administration in the proper working of the Act and in checking the mal-administration of the companies? In Chapter VII where the constitution and powers of the Advisory Commission are provided, no indication is given as to the set-up of this Advisory Commission; whether they are going to be businessmen, whether they are going to be financiers or whether they are going to be officers of the Government. Usually it so happens that big businessmen, men having a stake in the country, do not like to serve in such a Commission for the simple reason that they will have to criticise if necessary their own colleagues in business. As such, there is a possibility of the thrown out persons from business to come and occupy the Commission which is going to be constituted. There is also the other possibility of the officers. Secretaries or Joint Secretaries or whoever it may be, not so much wanted here in the Government being shoved on to the Commission. With such persons who are not wanted elsewhere, if the Commission is going to be constituted, to what extent it will be useful in carrying on the administration that is entrusted to them, will have to be examined properly.

Shri C. D. Deshmukh: Any suggestions?

Shri Ramachandra Reddi: I am not now in the Joint Committee. Probably. I will be able to give suggestions when we get into the clauses. I am only trying to find out where the loopholes are. As regards plugging them, we shall look into that when actually we consider the clauses. When the Joint Committee itself or the Government itself has not been able to disclose the way in which they are going to constitute a Commission, it is not for me at this stage to suggest certain methods all of a sudden. I hope I will be able to do it when the time comes.

The protection that is given to them seems to be quite adequate. But, the powers that.....

Shri Kamath: May I point out, Sir, that there is no quorum in the House?

Mr. Chairman. The bell is being rung. Now, there is quorum. The hon. Member may continue.

Shri Ramachandra Reddi: A limitation has been set on the number of companies that a managing agency can manage. It has been reduced to 10. We have here a list of companies. Nearly 320 of them are foreign companies and about 88 of them are Indian companies, all of them big companies. It looked as if the criticism that was levelled against managing agencies on the floor of the House has been levelled against our own Indian companies, as if they have not been managing themselves very well. Apart from that, if these people especially the Indian companies which are 88 in number, as in 1951, are asked to close down some of these companies, over 10, it would be a hard task. If they have not been found to be competent in managing them, that is one thing. They could be asked to close down. If all of them are properly and efficiently managed, there is no meaning in asking them to close down. If this rule of 10 companies is adopted for future companies, it is agreeable. If it is going to be adopted immediately with a view to cut the existing number of companies, that would be not only a hard task for the managements concerned, but also for the developmental programme of our country. It is therefore necessary that the matter should be reconsidered. If at all, there is a need felt for limiting the companies under a managing agency, probably for the future that rule may be adopted. Otherwise, there is every possibility of the present managing agencies disintegrating their resources, cutting down their companies, and even if they are in a position to develop them very fully and adequately, they will turn their attention from them and concentrate upon those 10

institutions which they would like to develop. In this view, I understand that some companies that are semi-developed under them will have to be fully developed and if this new law is adopted, they will be left undeveloped and probably nobody else would come forward to develop them.

It has been suggested that these private companies have not functioned well. I would like to ask whether the Government which is likely to take a greater interest and show greater vigilance, towards the working of these companies, has been able to manage its companies well. With a view to shut out public attention from these companies, they have made them limited companies, with a managing director of their own and other officers of their own. Though it is possible for the audit to find out the loopholes, they are given entire autonomy to work these companies. To what extent they have been able to succeed, we have yet to see. On the other hand, I have found criticisms levelled against them that they are not so well managed, and that the capital that has been invested has not been wisely used. As such, these enterprises may not succeed to the extent they are expected to. For instance, recently, I saw in the press a very bad criticism of the Machine Tools Factory that is set up in Bangalore. Like that we have heard something about the Sindri factory. Probably, we will hear more such complaints against the Penicillin factory in Poona and so many other institutions that are being brought into existence.

Shri U. M. Trivedi: The Housing factory is nearby.

Shri Ramachandra Reddi: We have the standing example of how the Housing factory has been managed or rather mismanaged to the chargin of the Government and the country and how the funds have been utilised. I am only trying to point out that pointing out mistakes is not the only duty of the Government. They must also show by example that they have been able to manage them properly and that their example might be usefully followed. So far, it has not been possible for the Government to show that example. I am sure that they will fall in line with the several administrative changes that they have suggested in the Joint Committee and try to improve their own institutions.

You know that the Government has taken powers under this Bill to direct the formation of companies and limit their activities also. But, the very fact that the Government has not been able to manage the capital issues question so long shows that their capacity is still wanting in the supervision of these companies. You know there was such a scramble ever since the war was over for capital issues. Most of the companies for which capital issues have been sanctioned by the Government have not developed; probably most of them have been closed. That shows the capacity of the Government in choosing the proper men and the proper occasion and the proper place for the development of those industries which they have sanctioned all along. And I am sure that unless they try to improve upon things, the mismanagement that has been already witnessed might continue and it will not do credit either to the Government that sanctions the capital issues or to the persons who run some of these companies.

I agree with Shri Kilachand when he said that it is the smaller companies that are going to suffer by some of these provisions. If there is any mistake that has to be corrected or explained about, then the smaller companies may not be able to afford to come all the way to Delhi and give the necessary explanation. But the bigger companies would certainly have very intelligent and resourceful representatives here at Delhi, highly paid and usefully working for them, and they can manage matters much more quickly than it is possible for the smaller companies to do. In that

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view, there must be greater facilities shown to the smaller companies in the matter of representation of their facts, and these supervisory agencies must have something like a travelling or itinerary method of dealing with things rather than the stationary method which probably is contemplated under this Bill.

I was very pained to hear some hon. Members calling managing agents sharks and leeches. They have unfortunately forgotten another acquatic being of the same type, namely the crocodile. Evidently the term is reserved for those people who are the legal and probably the financial advisers of those companies. I hope that our esteemed friends will not indulge in such cheap remarks and gibes at people who are not here to defend themselves.

In the end I have to observe that more opportunities under this Bill are given for red-tape to develop, for delays to happen, and for the hampering of proper and quick progress of business. It will also create opportunities for corrupt practices which probably invade the Government offices from the other institutions. I hope proper opportunities will be taken in this house to move proper amendments for the clauses that have been proposed by the Joint Committee.

Shri V. G. Deshpande: My hon. friend Pandit Thakur Das Bhargava and Shri Tulsidas have waxed eloquent on this company law in righteous indignation against the restrictions placed upon the managing agencies under clauses 323 to 331. I feel that their indignation may be directed against Government over these six or seven clauses, but on the whole I find that the capitalist community in the country ought to be thankful to the Government for having taken a very realistic, very practical, very statesmanlike view of the situation and, in spite of their slogans of socialistic pattern of society, for their being committed to private enterprise and to the managing agency system, which is a unique creation and gift of the Britisher whose company had established British Raj in this country. We ought not to be ungrateful to the great institution of that company and the great tradition of the managing agent created in this country.

We have found that the Government has come to the conclusion, that the Planning Commission has come to the conclusion, I think even the Company Law Committee has come to the conclusion, and the Joint Committee also has come to the conclusion that the managing agency system has come to stay and has not only come to stay, but one managing agent can control ten concerns. It was asked why this arbitrary number ten is retained. The answer was given that in this progressive world we are resorting to the metric or decimal system and therefore the number ten would be very useful. There will be ten concerns for a managing agent and 20 concerns for a director. And this is the even distribution of wealth and the great socialistic pattern of society which we are envisaging. We say "You will have only ten concerns that you can control". In Bombay by the passing of the land reforms law, if a tenant has got less than 48 acres of land Government has guaranteed that they would supply the deficit. If he has 40 acres, Government would supply him 8 acres more. Here we find that if any big business house has got less than ten companies, then Government is prepared to hand over its concerns to them, because instances have come to my notice where very big business houses like Birlas—I did not want to mention names—have been recently given many big Government concerns for management. In this way, the favourite pattern of the socialistic pattern of society is being popularised in this country.

My own feeling is that the capitalists ought to be very easy in their mind. Of course, even in law there is sometimes quarrel and I find that the capitalists with great love in their hearts for the Government which has

introduced such measures which are going to do good to the capitalist community, make some show of fight here. I find that all the clauses 323 to 331 are going to help the capitalists to the maximum extent. My hon. friend Shri Shah has done a great service by pointing out an instance. I do not know the name of the house. It may be perhaps a Birlas' concern, and its name may be J. C. Mills. Suppose they have done this and Government has allowed them again to float loans worth crores of rupees even knowing fully well that this is not permissible and that they could have stopped it. It was asked why Government did not stop this. Shri Kilachand asked it. But the answer was very clear, that Government wants to retain power in order to give advantages to their favourities. And that is why Shri Chatterjee, my revered leader, has pointed out in his minute of Dissent:

> "This power of abolition of the Managing Agency system by executive flat may be influenced by political objectives and may act as a deterrent on company formation and may check initiative and may lead to undue cramping of the activities of the existing concerns....."

Now, the anxiety of the capitalists is not to please the shareholders. They have to please only one authority and that authority is the Central Government.

And now I want to ask a question We have accepted democracy, and there is a party government in power. We are vesting that Government with such an overwhelming authority. We have seen that the Company Law Committee report has specifically mentioned that there should be a statutory commission vested with this authority. Our Government is very strong, and I am told that in the Congress party meeting these two decisions were positively taken, that they will not abolish the managing agency system within a specified period of time, and that in no case are they going to part with this power of control of this company management. They have accepted all the recommendations, but this power of continuing the managing agency or abolishing managing agency in the case of certain industries or certain concerns is retained in its hands. I do not want to make any accusation. One of my revered friends said that all people agree that the Congress can do no wrong. As long as Congress is in power, nothing.....

Shri Kamath: Who said so?

Shri V. G. Deshpande: My hon. friend Shri Jhunjhunwala.

Shri Kamath: Sarcastically.

Shri Jhunjhunwala (Bhagalpur Central): I did not say that. Your revered leader, Shri N. C. Chatterjee said that.

Shri V. G. Deshpande: I want to say that they may be above corruption. I can understand it. Some of them may be above corruption. But after all, it is a political party. And suppose tomorrow, Tata, Birla and Shanti Swarup Jain come and say, for your election funds, against ourselves, from the funds of the companies we will contribute one crore of rupees—I may say, not for any bad motive, but because it is in the interests of the country, and because the socialistic pattern may be popular.....

Shri Kamath: Rs. 5 crores, and not Rs 1 crore.

Shri V. G. Deshpande: I am saying a hypothetical thing. I have got information about Rs. 3 crores only. But I am saying here only a hypothetical thing. Suppose they come and say, we will contribute Rs. 1 crore for your party funds, for very high motives, so that the socialistic pattern in this country can come only through the Congress, and for that purpose, in the interests of the country it is necessary that this managing agency should continue. An accusation may be made in that case. I think that Government should be above suspicion just like Cæser's wife, and that is why I feel that our Government

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should not have taken all this responsibility on themselves.

My hon. friend like Shri M. S. Gurupadaswamy were agitating that the managing agency system should be completely abolished. Then there were other friends like Shri Tulsidas and others, who wanted that the system should continue. Our wise Finance Minister said that the recommendation of the Joint Committee, with which Government were in accord, seemed to wisely steer clear of extreme views on either side. The Joint Committee have avoided committing Government in either direction, but have conferred adequate powers on them to decide on an appropriate policy in this matter by the end of the next Plan period, in the light of their experience. My feeling is that this wisdom and justice and judicial mind represents the mind of the monkey in the famous fable. I am referring to that famous monkey to which two cats that were quarrelling between themselves came for judgment. The monkey said, do not quarrel amongst yourselves, and then it began to weigh the shares of both the cats, and while doing so, the monkey took away the shares of both and swallowed the whole sweatmeat. That is what we read in fable. In the same way, here the wise Finance Minister has said, the managing agencies, the statutory commission and all these powers are fighting, so I shall have all the power with myself, and I shall wisely steer clear of all the troubles. Thus, all the power will now concentrate in the hands of the Central Government, and it will be used for furthering the party interests.

I do understand that there are certain defects in the managing agency system. I do appreciate that for some time, the managing agency system may have to be continued not because we are convinced that the managing agency system is a blessing, but because we feel that once the system has been started, we shall have to fix a date-line up to which the system may continue, and after which it should not continue.

I find that arguments have been advanced in such an indirect and veiled manner that they have got everything for everybody. If a progressive man comes to them, they say that the managing agency system is going to be abolished. If a capitalist comes to them, they say that there are ten managing agencies reserved for him. In this way, the thing is being done. I want the hon. Finance Minister to announce here that Government are convinced that at least after some period, the managing agency system will end. If that is the object in view, they may ask: What is the alternative? I can answer that question. If the whole of Government can be managed by our Ministers, if the whole of the railways can be managed by our Minister of Railways, and that too,...

Shri Kamath: It is being managed.

Shri V. G. Deshpande: It is being managed or mismanaged—whatever it may be. But it is being managed by our Government, and that too without any restrictions. But here, restrictions have been put in that associates should not have interest either in the buying or in the selling of shares. But no such restriction is placed on the Ministers, saying that no minister should have any interest in any of the managing agencies. We have got here a Cabinet with collective responsibility which will have the power either to continue a managing agency or not. I think that if you have got that system, you must make a rule that no Minister in the Cabinet should have any direct or indirect interest through his relative, in any managing agency or in any industrial concern. I think if this rule that applies to associates is extended even to the Ministers, then something can be done.

Then, I would like to make one other demand on our Government. I find that at present there is a lacuna in the Bill in that regard. I make a demand that our Government should

make a rule regarding the utilisation of the resources of these public limited companies. Many capitalists are giving funds to different parties. I want a rule to be made that no money will be paid from out of the funds of these public limited companies to any political party, because instances have come to our notice that indirect influence is wielded by giving these donations to different political parties. What are the present conditions? We find that all the relatives and associates have special claim in the management and governance of the country, while at the same time, we find that the small and poor associates and others in the case of companies are placed under very heavy restrictions. I am not against these restrictions. But my objection is only to favourite treatment being given to special men.

I find that there are many companies to whom loans are given by Government—I have mentioned the names already. I have been told that the prices of steel were manipulated in such a manner that Tata's share may be sold at 3600 per cent. premium; and all the help was given by our Government. The Indian Iron and Steel Syndicate, I am told, has got a capital of Rs. 5 crores, and they are having a profit of Rs. 5 crores; but we find that Rs. 10 crores have been given to them as loan without interest. All these things are happening.

Shri Kamath: Election manoeuvres.

Shri V. G. Deshpande: May not be election manoeuvres. But such accusations can be made, and made with justification. Therefore, in the interests of the purity of the administration, I would appeal that such drastic powers should not be taken by Government, and that we should not allow people to make such criticisms.

I was referring to what the alternative arrangement has to be. I would make a suggestion that Government should start, just like the Indian Administrative Service, an Indian Managerial Service, and if with these pioneering young men you begin management of these companies, you will find that the problem of management can be solved within a specified period.

Then, the Government companies are there. If in the private sector, in the name of Birla, Dalmia and Tata, companies can be floated, and companies can be promoted, I say that in the public sector also, Government should come forward as promoters and ask the people to invest money; if that is done, I think the public sector can be properly occupied.

I would not like to say much and take up the time of the House. But my main points are these. Firstly, Government have erred in not making their policy clear regarding managing agencies. My second point is that they have discarded the recommendation of the Bhabha Committee in regard to the setting up of a statutory commission. They had made specific recommedations in their report that the statutory commission should consist of experts, who should have no interest, and who should declare their interests, if any, and so on. But Government have not accepted that recommendation. We find that no Minister is going to declare what his interest is. That is why, I may make a specific allegation here that for political considerations, of all labour organisations, only the labour organisation which is controlled by the Congress has made this recommendation and agitated for it. I feel that there is a conspiracy behind keeping all these powers in the hands of Government.

My last point is that labour must have representation in the management of companies. I find that my hon. friend Shri Tulsidas has advanced a very ingenious argument in favour of my contention. He was saying that in England their experience was that those labour leaders who served on the board as directors did not remain labour leaders thereafter. I say that that will be a happy revolution for them. If all the Indian labour leaders like Shri A. K. Gopalan, Shri H. N. Mukerjee and

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Shri S. L. Saksena are appointed directors, and they do not remain as labour leaders thereafter, then all the headache of my hon. friends Shri Tulsidas and Shri G. D. Somani will go away.

Shri Kamath: What about the Hindu Mahasabha labour front?

Shri V. G. Deshpande: The Hindu Mahasabha is always a progressive party.

Therefore, my request to Shri Tulsidas is that if for nothing else, at least for removing all the labour trouble in the country, he should accept the suggestion. I find that our Government, with all their progressiveness, with all their socialistic pattern of society, have only restricted themselves to taking away property and rights from other hands, and not to look after distribution, equitable distribution. This power is reaching the Government, but they do not want that it should reach the labourer. I feel that every concern has got four components. One is the investor, the second the management, third is the labourer and fourth is the consumer. We find that the consumer has no representative..

Shri Sinhasan Singh (Gorakhpur Distt.—South): The producer of raw material also.

Shri V. G. Deshpande: The producer of raw material—he is the fifth component. If the Government do not act in a partisan manner, if they act through a statutory commission, if we have got the representatives of labour —labour is very flexible—and all the technical assistance that is required for the development of industry can be available, we can achieve our objective. My friend was saying that for amendment, at least two years are required. I say, not even two years are required. Before the Bill is passed, when discussion on the clauses starts, we see chits going from here and there and at every stage amendments are made. Even to the Constitution and other things, within 8 days, within 15 days, amendments are made. Here we need not worry that time would be required for making amendments. I would request the Finance Minister to amend the law suitably, to move amendments to his own Bill, so that the power to exercise all these seven restrictions placed on them may not be placed in the hands of the Central Government but in the hands of a statutory commission. We should have some representatives of labour on the boards.

Shri M. S. Gurupadaswamy: What about the remuneration?

Shri V. G. Deshpande: The point of remuneration is also very important, because in this socialistic pattern of society, we find that Rs. 50,000 is the humble minimum that has been fixed in the case of companies which are not getting any profits. If they begin to make profits, no ceiling is fixed. It is unfortunate and ironical, but very generous of our Ministers, that when they themselves have put a ceiling on their income, when they are getting only Rs. 2,200, they are prepared to give to others more than Rs. 4,000 per month. It is really generous on their part, but that indicates that they are not really serious about the socialistic pattern of society. I am personally not very highly enamoured of this phrase 'socialistic pattern of society', but I think that the minimum remuneration that you have to fix ought to have some proportion to the realities of the economic condition prevailing in the country. I do not think that lakhs and lakhs of rupees per year can be the only incentive. I know of instances where there are many concerns in this country which are doing pioneering work in the manufacturing sphere, but are receiving no encouragement from our Government. I was yesterday surprised to find that our Five Year Plan includes a plan for the erection of certain vegetable oil factories also. Vegetable ghee is a new industry that our Government want to encourage. My own feeling is that there is an attempt to make the rich people richer, while the poor are becoming poorer. Nobody

has got a tear to shed for the latter. Therefore, I would oppose this remuneration clause which is preposterous and against all our ideas.

BUSINESS OF THE HOUSE

Mr. Chairman: I have to make an announcement. It relates to the discussion on the Report of the Press Commission.

The House has already agreed to sit one hour longer on the days when the Report of the Press Commission is taken up for discussion. Accordingly, the House will sit on Friday, the 19th August and Saturday, the 20th August, from 11 A.M. to 6 P.M. On Friday, the 19th August, 1955, the Private Members' Business will be taken up at 3-30 P.M. instead of at 2-30 P.M.

After the present business is finished, that discussion will commence tomorrow.

Pandit Thakur Das Bhargava (Gurgaon): When will the Press Commission's Report be taken up for consideration?

Mr. Chairman: It will commence tomorrow.

Shri M. S. Gurupadaswamy (Mysore): Since there are a large number of Members who wish to participate in the discussion on the Companies Bill, may I request that the time allotted for it may be extended?

Shri Kamath (Hoshangabad): We should have 30 hours.

Mr. Chairman: I cannot say. I can just convey it to the Speaker, and tomorrow morning that matter can be raised by any Member.

Shri Thimmaiah (Kolar—Reserved—Sch. Castes): When will the discussion on the Press Commission Report start?

Mr. Chairman: As at present arranged, discussion will begin tomorrow.

Shri M. S. Gurupadaswamy: May I know if the time allotted for the Companies Bill is going to be extended?

Mr. Chairman: That matter can be adjusted with the Speaker or the House can decide. I cannot say anything.

COMPANIES BILL—*Contd.*

Shri B. K. Ray (Cuttack): This Bill has been the subject of vigorous criticism from various standpoints. With regard to the nature of the Bill, it is a remedial measure. Its object is to remedy certain grievances of the shareholders, to avoid malpractices and abuses by the managing agents, and to purify the administration and management of joint stock companies so that it fits in properly with the country's economic structure, and the machinery for the development of the economy through the private sector. Therefore, it is necessarily full of checks and balances. Certain portions of it read like the fundamental rights chapter of the Constitution of India. Such Bills do not always please both sides.

Now, the criticisms vary from its unworkability to its perfection. One school claims that it is perfect; the other school claims that it is completely unworkable. **The real** standpoint of criticisms, however, lies in appreciating the checks and balances. In fact, after reading the Bill carefully and devoting a very long time to it—because the Bill is both extensive and intensive—I became full of admiration for the Finance Minister and the Joint Committee for their wisdom in bringing forward the Bill to this form. I do not say for a moment that it is completely without defects. In fact, to my eyes there have come some defects which I am going to point out very shortly.

Now, some of the criticisms that have been unbalanced. I regret to have to say on the floor of this House, are due to the fact that the real objective of the Bill has not been kept in view. What are the objectives? The objectives are, first of all, in the

[Shri B. K. Ray]

Second Five Year Plan, to help development of industry, trade, improvement of the economic structure through the private sector. In fact, the burden of improvement is left on the private sector as much and to the same extent as upon the public sector. That is one of the main objectives. If you kill joint-stock companies, then there is hardly any private sector which is capable for the purpose of improving the industry or the economic structure of the country.

There is another aspect, why these joint-stock companies should be maintained. It is pooling the savings, the investments of the common man into a big concern and producing wealth therefrom—that helps the middle class people to supplement their income. The other objective of the Bill, therefore, is to protect the shareholders, to give them certain rights which they have not and, lastly, to prevent the managing houses or managing agency firms from indulging in abuses for the purpose of their own personal gains.

Having in view these different objectives, I do not find that there is anything very wrong in the Bill. The subject of the greatest controversy has been whether the managing agency should be retained or should be abolished. There has been a fight over this, whether the provisions of the Bill are sufficient in their implication to end it or mend it. In my view, the provisions contain both the germs of ending and the germs of mending. It is because it is a Bill full of checks and balances, in order to gain a position of balance it has to be like that.

So far as the managing agency is concerned, nobody has got any malice against them. Unless there is any charm in the expression 'managing agency', so long as business is there, so long as a company is there, there must be some instrument to manage, whether it is the managing agency house or whether it is the secretary or whether it is the treasurer or whether it is some other salaried servant. The management must be there. Therefore, if we suddenly, abruptly and by one stroke of the pen take away all the managing agencies, what would be the position of the business, what would be the position of the companies? It is not like the abolition of the zamindaries and taking them into government management. We are not expecting that managing agencies would be abolished and that Government will take over the management of the companies. We have to replace these by equally competent, if not better, managing agents, in whatever name it comes, it does not matter. Therefore, the Finance Minister as well as the members of the Joint Committee have designed the various provisions so as to avoid all the different kinds of abuses. As the learned Finance Minister once said, the managing agency, without the teeth with which they had been able to indulge in various abuses will be there. If they serve well, if they stand the test of the checks and balances that have been provided for in the provisions relating to them, then, certainly, nobody will ever think for a moment of getting rid of an instrument that serves well. But, if they do not stand the test, then, certainly, it is within the powers of this House, within the powers of the Central Government to do away with them. Therefore, so far as the managing agency is concerned, I fully support the provisions of the Bill.

But, with reference to the particular objectives which I have laid before me for the purpose of the criticism of this Bill, I find certain lacunae. The Bill can be divided into separate parts with reference to the subject with which it deals. One is incorporation; the other is management; the third is shareholders' rights and the fourth, liquidation proceedings.

With regard to incorporation, of course, many penal provisions have been provided making the directors punishable for giving false statements either in the prospectus or in the articles of association or documents of

that kind. Notwithstanding all that, I consider this inadequate. I know in very many instances certain speculators come out and do propaganda for starting a company and take moneys from the shareholders, then, ultimately, we find there is neither any company nor any business; nothing of the kind. In order to protect innocent people, no doubt, certain strict provisions have been made. But, I consider them inadequate. In my judgment there ought to be a complete picture of the scheme with which the company is going to be managed so that the shareholder when he subscribes, knows what the business is going to be, what is the prospect of its being a going concern. Then, the full picture of the entire scheme must be accompanied by an expert report which should say that the scheme is likely to prove successful. So long as the provisions fall short of that, I should consider it to be defective to that extent.

With regard to the provisions regarding management I have found no defect. On the contrary, I give my whole-hearted support to the provisions of the Bill.

With regard to the protection of the shareholders. The shareholders have been given the right to complain about a number of malpractices so that an investigation or inspection of the company's business may be done. Now, the position is, do the shareholders have the opportunity to get all the necessary informations for this purpose?

5 P.M.

Mr. Chairman: I think the hon. Member will take more time. So he can continue tomorrow.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the 18th August, 1955.